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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARRYL EUGENE TAYLOR,	CASE NO. 1:07-cv-00459-AWI-SMS PC
Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, AND DISMISSING ACTION, WITH PREJUDICE, FOR FAILURE TO STATE A CLAIM
v.	
JAMES A. YATES, et al.,	(Doc. 24 and 26)
Defendants.	ORDER THAT THIS DISMISSAL COUNTS AS A STRIKE PURSUANT TO 28 U.S.C. § 1915(G)

Plaintiff Darryl Eugene Taylor, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 23, 2007. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 3, 2010, the Magistrate Judge screened Plaintiff's third amended complaint and recommended dismissal of this action, with prejudice, for failure to state a claim. Plaintiff was notified he had thirty days within which to file objections, but none were filed

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed August 3, 2010, is adopted in full;
2. This action is dismissed, with prejudice, for failure to state a claim; and

1 3. This dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g).

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3 IT IS SO ORDERED.

4 Dated: November 13, 2010



CHIEF UNITED STATES DISTRICT JUDGE

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