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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

RAYMOND WRIGHT,)	1:07-CV-0462 AWI YNP SMS
)	
Plaintiff,)	ORDER ADOPTING FINDINGS AND RECOMMENDATION
)	
v.)	ORDER DENYING MOTION TO DISMISS
)	
KEN CLARK, et al.,)	ORDER REFERRING ACTION
)	
Defendants.)	(Documents #47 & #53)

Plaintiff is a state prisoner who is proceeding with a civil rights action pursuant to 42 U.S.C. § 1983. 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 October 29, 2009, the Magistrate Judge filed Findings and Recommendations, recommending that Defendants’ motion to dismiss be denied. The Findings and Recommendations gave notice that any party could file objections within thirty days. No party has filed objections.

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. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having carefully reviewed the entire file, the court finds the Findings and Recommendations to be supported by the record and by proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendations filed October 29, 2009, are ADOPTED IN
3 FULL;
4 2. Defendants' motion to dismiss is DENIED; and
5 3. This action is referred to the Magistrate Judge for further proceedings.
6

7 IT IS SO ORDERED.

8 **Dated:** February 9, 2010

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE