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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THON NGOT SANG,	1:07-CV-01759-OWW-DLB PC	
Plaintiff,		ORDER ADOPTING FINDINGS AND
		RECOMMENDATION IN FULL AND
v.		DISMISSING ACTION FOR FAILURE TO
		STATE A CLAIM
A. K. SCRIBNER, et al.,	(DOC. 50)	
Defendants.		DISMISSAL COUNTS AS STRIKE
		PURSUANT TO 28 U.S.C. § 1915(G)

_____ /

Plaintiff Thon Ngot Sang ("Plaintiff") is a former state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's [second amended complaint](#), filed December 28, 2009. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 for screening pursuant to 28 U.S.C. § 1915A.

On September 2, 2010, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on the parties and which contained notice to the parties that any objection to the Findings and Recommendations was to be filed within thirty days. Neither party filed a timely Objection to the Findings and Recommendations.

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

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The [Findings and Recommendations](#), filed September 2,
8 2010, is adopted in full;
- 9 2. This action is DISMISSED with prejudice for failure to
10 state a claim upon which relief may be granted; and
- 11 3. This dismissal counts as a strike pursuant to 28 U.S.C.
12 § 1915(g).

13 IT IS SO ORDERED.

14 **Dated: October 20, 2010**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE