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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BERNARD ANDREW WHITE,	CASE No.: 1:07-cv-01796 OWW-DLB PC
Plaintiff,	ORDER ADOPTING FINDINGS AND
v.	RECOMMENDATIONS AND DISMISSING
	ACTION FOR FAILURE TO STATE A CLAIM
	UPON WHICH RELIEF MAY BE GRANTED
DEPARTMENT OF CORRECTIONS	(Doc. 25)
et al.,	
Defendants.	

_____ /

Plaintiff Bernard Andrew White (“plaintiff”) is a state prisoner proceeding pro se in this 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 72-302.

On December 15, 2008, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on plaintiff and which contained notice to plaintiff that any objection to the Findings and Recommendations was to be filed within thirty days. Plaintiff filed an [Objection](#) to the Findings and Recommendations on December 31, 2008.

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.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The [Findings and Recommendations](#), filed December 15, 2008, is adopted in full;
3 and
4 2. This action is dismissed with prejudice for plaintiff's failure to state a claim upon
5 which relief may be granted.

6 IT IS SO ORDERED.

7 **Dated: January 29, 2009**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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