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

LAWTIS DONALD RHODEN,
Plaintiff,

Case No. 1:08-cv-00100-LJO DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

vs.

STEPHEN W. MAYBERG, et al.,
Defendants.

(Doc. 9)

_____ /

Plaintiff Lawtis Donald Rhoden (“plaintiff”) is a civil detainee 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 12, 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](#) on December 29, 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.

Accordingly, IT IS HEREBY ORDERED that:

1. The [Findings and Recommendations](#), filed December 12, 2008, is adopted in full; and
2. This action is dismissed for failure to state a claim upon which relief may be granted.

IT IS SO ORDERED.

Dated: February 4, 2009

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE