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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICKY JAMES,	CASE NO. 1:08-cv-00351-LJO-DLB (PC)
Plaintiff,	ORDER ADOPTING FINDINGS AND
v.	RECOMMENDATIONS and DISMISSING
J. WILBER, et al.,	CERTAIN CLAIMS
Defendants.	(Doc. 17)

Plaintiff Ricky James (“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 February 4, 2009, 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 did not file a timely Objection to the Findings and Recommendations.

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 February 4, 2009, is adopted in full;
2. This action proceed only against defendants Wilber, Siene, and Johnson on Plaintiff’s Eighth Amendment claims; and

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3. Defendants J. Jones, N. Grannis, W. J. McGuinness, M. Hodges-Wilkins, and D. Adams are DISMISSED from this action for Plaintiff's failure to state any claims upon which relief may be granted.

IT IS SO ORDERED.

Dated: March 31, 2009

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