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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

CLAUDELL EARL MARTIN,

Plaintiff,

v.

JEANNE S. WOODFORD, et al.,

Defendants.

CASE NO. 1:08-cv-00415-LJO-SKO PC

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS

(Doc. 92)

Plaintiff Claudell Earl Martin (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis 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 302.

On July 13, 2010, the Magistrate Judge issued a Findings and Recommendations which recommended that Defendant McGuinness’s motion to dismiss be granted and Plaintiff’s claim against McGuinness be dismissed as barred by the applicable statute of limitations. (Doc. #92.) The Findings and Recommendations were served on all parties and contained notice that any objections to the Findings and Recommendations were to be filed within thirty (30) days of the date on which the Findings and Recommendations were served. Plaintiff filed objections on September 20, 2010. (Doc. #102.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 305, 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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Accordingly, the Court HEREBY ORDERS that:

1. The July 13, 2010 Findings and Recommendations are ADOPTED in full;
2. Defendant McGuinness's motion to dismiss is GRANTED; and
3. Defendant McGuinness is dismissed from this action.

IT IS SO ORDERED.

**Dated: September 29, 2010**

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