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

CLAUDELL EARL MARTIN,
Plaintiff,

vs.

JEANNE S. WOODFORD, et al.,
Defendants.

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

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DISMISSING
DEFENDANTS GONZALES AND REED
FROM ACTION, WITHOUT PREJUDICE

(Doc. 35)

_____ /

Plaintiff Claudell Earl Martin, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 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 June 19, 2009, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on the parties and which contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty days. On July 13, 2009, plaintiff filed an [Objection](#).

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 June 19, 2009, is adopted in full;
2. Pursuant to Federal Rule of Civil Procedure 4(m), defendants K. Reed and J. Gonzales are dismissed from this action, without prejudice. IT IS SO ORDERED.

Dated: August 12, 2009

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