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4 **UNITED STATES DISTRICT COURT**
5 **EASTERN DISTRICT OF CALIFORNIA**
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7 LOUIS BRANCH,

8 Plaintiff,

9 v.

10 D. UMPHENOUR,

11 Defendant.

Case No. 1:08-cv-01655-SAB (PC)

ORDER DIRECTING CLERK OF COURT
TO ENTER JUDGMENT AND CLOSE
CASE PURSUANT TO THE PARTIES;
STIPULATION

(ECF No. 408)

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13 On May 4, 2023, the parties filed a stipulation to enter judgment and close the case.

14 Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that:

15 1. Plaintiff's claim that Defendant Umphenour retaliated against him for exercising his
16 First Amendment rights by destroying Plaintiff's legal and personal property is dismissed with
17 prejudice, pursuant to Rule 41(a)(1)(A)(ii);

18 2. All other claims and Defendants are dismissed for failure to state a cognizable claim
19 for relief, pursuant to the Order Screening Fourth Amended Complaint filed on December 15,
20 2021;

21 3. Each party shall bear its own costs and attorney's fees; and

22 4. The Clerk of the Court is directed to enter judgment and close this case.

23 IT IS SO ORDERED.

24 Dated: May 4, 2023

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26 _____
27 UNITED STATES MAGISTRATE JUDGE
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