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

LOUIS BRANCH,

1:08-cv-01655-AWI-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 69.)

vs.

N. GRANNIS, et al.,

ORDER DENYING DEFENDANT
UMPHENOUR'S MOTION TO
DISMISS
(Doc. 49.)

Defendants.

_____ /

Louis Branch ("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 302.

On August 24, 2012, [findings and recommendations](#) were entered, recommending that defendant Umphenour's motion to dismiss, filed on October 6, 2011, be denied. The parties were provided an opportunity to file objections to the findings and recommendations within twenty days. To date, no objections, or other responses to the findings and recommendations, were filed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, 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 proper analysis.

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Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on August 24, 2012, are ADOPTED in full; and
2. Defendant Umphenour's motion to dismiss, filed on October 6, 2011, is DENIED.

IT IS SO ORDERED.

Dated: September 20, 2012



CHIEF UNITED STATES DISTRICT JUDGE