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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TED KEENER ERNST,)	1:08-cv-01940 OWW GSA
)	
Plaintiff,)	
)	ORDER ADOPTING FINDINGS AND
v.)	RECOMMENDATIONS
)	
MATTHEW CATE, et al.,)	(Document 47)
)	
Defendants.)	

On or about July 8, 2009, Defendants Jett and Chavez moved to dismiss Plaintiff's first amended complaint pursuant to Federal Rules of Civil Procedure rule 12(b)(6). (Doc. 37.) On September 4, 2009, Plaintiff filed an opposition. (Doc. 41.) On September 17, 2009, Defendants replied thereto. (Docs. 42-43.)

On November 13, 2009, the Magistrate Judge filed Findings and Recommendations which were served on all parties and contained notice that any objections to the Findings and Recommendations were to be filed no later than December 16, 2009. (Doc. 47.) As of this date, no party has filed objections.

In accordance with the provisions of Title 28 of the United States Code section 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court finds that the Findings and Recommendations are supported by the record and proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed November 13, 2009, are ADOPTED IN FULL.
2. All federal claims are dismissed with PREJUDICE.
3. Supplemental jurisdiction over state claims is declined as the federal court has no Interest in the subject matter or any applicable state law.

IT IS SO ORDERED.

Dated: December 19, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE