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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 **ARTHUR PETROSYAN,**

9 **Plaintiff,**

10 **v.**

11 **ALI, ZAMORA, GRANNIS, and**
12 **YOUSSEF,**

13 **Defendants.**

CASE NO. 1: 09-CV-0593 AWI JLT

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

**ORDER DENYING DEFENDANTS'
MOTION TO DISMISS**

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15 On February 19, 2013, Defendants filed a motion to dismiss this action for Plaintiff's
16 failure to exhaust administrative remedies prior to filing this action. The motion was referred to a
17 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

18 On September 30, 2013, the Magistrate Judge filed Findings and Recommendations that
19 recommended Defendants' motion be denied. These Findings and Recommendations were served
20 on the parties and contained notice to the parties that any objections to the Findings and
21 Recommendations were to be filed within fourteen days. Over fourteen days has passed, and no
22 objections have been filed.

23 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) this Court has conducted a
24 de novo review of this case. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th
25 Cir. 1983). Having carefully reviewed the entire file, the Court finds the Findings and
26 Recommendations to be supported by the record and proper analysis.
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Accordingly, it is HEREBY ORDERED that:

1. The Findings and Recommendations filed on September 30, 2013 are ADOPTED IN FULL; and
2. Defendants' motion to dismiss is DENIED without prejudice.

IT IS SO ORDERED.

Dated: November 8, 2013



SENIOR DISTRICT JUDGE