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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DEON WADE,)	1:09cv0599 AWI DLB
)	
)	
Plaintiff,)	ORDER ADOPTING FINDINGS
)	AND RECOMMENDATIONS
v.)	RECOMMENDING DISMISSAL OF
)	DEFENDANT BEER
FRESNO POLICE DEPARTMENT, et al.,)	(Document 12)
)	
Defendants.)	

Plaintiff, a county jail inmate proceeding pro se and in forma pauperis, filed the instant action on April 3, 2009.

On May 22, 2009, the Magistrate Judge issued [Findings and Recommendations](#) that the action be DISMISSED as to Defendant Sgt. G. Beer. The Findings and Recommendations were served on Plaintiff and contained notice that any objections were to be filed within thirty (30) days. More than thirty (30) days have passed and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 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.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations dated May 22, 2009, are ADOPTED IN FULL;

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2. Defendant Beer is DISMISSED from this action based on Plaintiff's failure to state any claims against Defendant Beer; and

3. This action SHALL PROCEED only against Defendants Williams, Irving, Wilkin, Finley and the Fresno Police Department.

IT IS SO ORDERED.

Dated: July 14, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE