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

STEVEN C. MARTINEZ,

) 1:09cv0899 LJO DLB

)  
) ORDER ADOPTING FINDINGS  
) AND RECOMMENDATIONS  
) (Document 53)

)  
) Plaintiff,

)  
) vs.

)  
) DERRAL G. ADAMS, et al.,

)  
) Defendants.  
)  
\_\_\_\_\_

On October 5, 2010, the Magistrate Judge issued [Findings and Recommendations](#) that Plaintiff's cause of action for retaliation be DISMISSED. The Findings and Recommendations were served on all parties and contained notice that any objections were to be filed within fourteen (14) days after service of the order. On October 19, 2010, Plaintiff filed [objections](#). Defendants did not file a reply.

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 concludes that the Magistrate Judge's Findings and Recommendations are supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations issued October 5, 2010, are ADOPTED IN

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FULL;

2. Defendants' motion is GRANTED. Plaintiff's cause of action for retaliation against Defendants Vargas, Nacar, Van Natta and Smith is DISMISSED for failure to exhaust administrative remedies.

IT IS SO ORDERED.

**Dated: November 9, 2010**

**/s/ Lawrence J. O'Neill**  
**UNITED STATES DISTRICT JUDGE**