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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PHILLIP T. RICKER,

Plaintiff,

v.

CALIFORNIA DEPARTMENT
OF CORRECTIONS, et al.,

Defendants.

CASE NO. 1:09-cv-01415-OWW-GBC PC

ORDER STRIKING PLAINTIFFS’ MOTION
TO DISMISS

(Doc. 14)

_____ /

Plaintiff Phillip T. Ricker (“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 October 13, 2010, the Magistrate Judge filed a [findings and recommendations](#) herein which was served on Plaintiff and which contained notice to Plaintiff that any objection to the findings and recommendations was to be filed within thirty days. Plaintiff failed to file an objection to the findings and recommendations. Judgment was entered on December 1, 2010. On December 10, 2010, Plaintiff filed a motion to dismiss. Plaintiff’s motion to dismiss will be stricken as moot.

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1 Accordingly, it is HEREBY ORDERED that Plaintiff's motion to dismiss, filed
2 December 10, 2010, is HEREBY STRICKEN as moot.

3 IT IS SO ORDERED.

4 Dated: December 14, 2010


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6 UNITED STATES MAGISTRATE JUDGE

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