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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ERNEST REYES PLACENCIO,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

CASE NO. 1:09-cv-01483-AWI-SKO PC

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS

ORDER DISMISSING ACTION FOR FAILURE TO STATE A CLAIM

(Doc. 13)

Plaintiff Ernest Reyes Placencio (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis 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 November 12, 2010, the Magistrate Judge issued a Findings and Recommendations which recommended that Plaintiff’s claims be dismissed with prejudice for failing to state any claims upon which relief can be granted under Section 1983. (Doc. #13.) The Findings and Recommendations were served on Plaintiff and contained notice to Plaintiff that any objections to the Findings and Recommendations were to be filed within thirty (30) days of the date on which the Findings and Recommendations were served. Plaintiff has failed to file any objections to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 305, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

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Accordingly, the Court HEREBY ORDERS that:

1. The November 12, 2010 Findings and Recommendations are ADOPTED in full;
2. Plaintiff's claims are dismissed, with prejudice, for failing to state any claims; and
3. The Clerk is directed to close this action.

IT IS SO ORDERED.

Dated: February 9, 2011

  
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CHIEF UNITED STATES DISTRICT JUDGE