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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDDIE SALAZAR,

Plaintiff,

v.

SULLIVAN, et al.,

Defendants.

CASE No. 1:09-cv-2264-AWI-MJS (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATION DENYING  
DEFENDANTS' MOTION TO DISMISS

(ECF Nos. 26, 36)

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On December 31, 2009, Plaintiff Eddie Salazar, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern District of California.

1 On February 1, 2013, Findings and Recommendation were filed in which the  
2 Magistrate Judge recommended that Defendants' Motion to Dismiss (ECF No. 26) be  
3 denied. (ECF No. 36.)

4 The parties were notified that objection, if any, was due within fourteen days after  
5 service. No party filed an objection to the Findings and Recommendation.  
6

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

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The Court adopts the Findings and Recommendation filed February 1,  
13 2013, (ECF No. 36) in full; and
- 14 2. Defendants' Motion to Dismiss (ECF No. 26) is DENIED.  
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17 IT IS SO ORDERED.

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19 Dated: March 20, 2013



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20 SENIOR DISTRICT JUDGE  
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