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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VICTORY ILSUNG,	CASE No. 1:10-cv-02070-AWI-MJS (PC)
Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATION DENYING DEFENDANT'S MOTION TO DISMISS
v.	(ECF Nos. 23, 32)
ROBERT MOBERT,	CASE TO REMAIN OPEN
Defendant.	

_____ /

Plaintiff Victory Ilsung, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on November 8, 2010 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.

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1 On February 1, 2013, Findings and Recommendation (ECF No. 32) were filed in
2 which the Magistrate Judge recommended that Defendant's Motion to Dismiss (ECF No.
3 23) be denied.

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
- 13 1. The Court adopts the Findings and Recommendation filed February 1,
14 2013, (ECF No. 32) in full; and
 - 15 2. Defendant's Motion to Dismiss (ECF No. 23) is DENIED.

16 IT IS SO ORDERED.

17 Dated: March 21, 2013



18 _____
19 SENIOR DISTRICT JUDGE