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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WESLEY KANE CAMPBELL,	CASE NO. 1:10-cv-02193-OWW-GBC PC
Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS RECOMMENDING DISMISSAL OF ACTION, WITHOUT PREJUDICE, FOR FAILURE TO STATE A CLAIM
v.	
LAWRENCE J. TURNER, et al.,	(Docs. 1, 6, 8)
Defendants.	

Plaintiff Wesley Kane Campbell¹ (“Plaintiff”), a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983, filed the [complaint](#) in this action on November 24, 2010. 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 December 9, 2010, the Magistrate Judge issued [findings and recommendations recommending](#) that the action be dismissed for failure to state a claim. The parties were given thirty days within which to file objections. Plaintiff filed an [objection](#) on January 12, 2011. The Court has considered Plaintiff’s objection.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), 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.

¹Plaintiff is also known as Kane Campbell.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations, filed December 9, 2010, are adopted in full;
- 3 2. This action, is dismissed, without prejudice, based on Plaintiff's failure to state a
- 4 claim upon which relief may be granted under section 1983;
- 5 3. All pending motions are terminated;
- 6 4. This dismissal shall count as a strike pursuant to 28 U.S.C. § 1915(g); and
- 7 5. The Clerk of the Court is directed to close this case.

8 IT IS SO ORDERED.

9 Dated: January 25, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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