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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF CALIFORNIA  
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8 ANTONIO MALDONADO,

CASE NO. 1:10-CV-02346-AWI-MJS (PC)

9  
10 Plaintiff,

11 v.

12 BENOVA, et al.,

13  
14 Defendants.

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS DISMISSING  
ACTION WITH PREJUDICE FOR FAILURE  
TO STATE A CLAIM AND DIRECTING  
CLERK OF COURT TO ENTER  
JUDGMENT COUNTING DISMISSAL AS A  
STRIKE UNDER 28 U.S.C. § 1915(g)

(ECF NO. 12)

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16  
17 Plaintiff Antonio Maldonado is a federal prisoner proceeding pro se and in forma  
18 pauperis in this civil rights action filed on December 16, 2010 pursuant to Bivens v. Six  
19 Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). (Compl.,  
20 ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28  
21 U.S.C. 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern  
22 District of California.  
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1 On March 28, 2012, Findings and Recommendations for Dismissal (Findings and  
2 Recommendations, ECF No. 12) were filed in which the Magistrate Judge screened  
3 Plaintiff's Complaint and recommended dismissal of the action for failure to state a claim.  
4 28 U.S.C. §§ 1915-1915A. Plaintiff was notified that his Objection, if any, was due within  
5 fourteen (14) days. Plaintiff did not file an Objection to the Findings and Recommendations.  
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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 Recommendations to be supported by the record and by  
10 proper analysis.

11 Accordingly, IT IS HEREBY ORDERED that:

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- 13 1. The Court adopts the Findings and Recommendations filed March 28,  
14 2012, in full,
  - 15 2. This action is dismissed, with prejudice, for failure to state a claim,
  - 16 3. The Clerk of the Court shall enter judgment against Plaintiff, and  
17 4. This dismissal counts as a strike under 28 U.S.C. § 1915(g).

18 IT IS SO ORDERED.

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20 Dated: May 1, 2012

  
CHIEF UNITED STATES DISTRICT JUDGE