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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

DOUGLAS C. BOYACK, et al.,

CASE NO. 1:11-cv-00416-AWI-SKO

Plaintiffs,

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS THAT  
PLAINTIFFS' MOTION FOR  
REMAND BE GRANTED**

v.

ERIC RICHARD ELESON,

(Docs. 5, 10)

Defendant.

On April 22, 2011, the Magistrate Judge issued Findings and Recommendations that Plaintiffs' motion to remand be granted. These Findings and Recommendations were served on all parties appearing in the action and contained notice that any objections were to be filed within seventeen (17) days after service of the order. On May 5, 2011, Defendant Eleson filed objections.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the Magistrate Judge's Findings and Recommendations are supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The April 22, 2011, Findings and Recommendations are adopted IN FULL;
2. Plaintiffs' request for judicial notice is GRANTED;
3. Plaintiffs' motion to remand this matter to the Tuolumne County Superior Court is

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GRANTED;

4. Defendant's motion to proceed *in forma pauperis* is DENIED AS MOOT; and

5. This action is to be administratively closed.

IT IS SO ORDERED.

Dated: June 3, 2011



CHIEF UNITED STATES DISTRICT JUDGE