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

ROBERT RODRIGUEZ,	)	1:11cv01371 LJO DLB
	)	
	)	
Plaintiff,	)	ORDER ADOPTING FINDINGS AND
	)	RECOMMENDATIONS REGARDING
v.	)	DISMISSAL OF DEFENDANT KUBO
	)	WITH PREJUDICE
POLICE DOG KUBO, et al.,	)	(Doc. 6)
	)	
	)	
Defendants.	)	

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Plaintiff Robert Rodriguez (“Plaintiff”), a county jail inmate appearing pro se and proceeding in forma pauperis, filed the instant action on August 17, 2011.

On August 23, 2011, the Magistrate Judge issued [Findings and Recommendations](#) that Defendant Kubo be DISMISSED WITH PREJUDICE. The Findings and Recommendations were served on plaintiff and contained notice that any objections were to be filed within fourteen (14) days. More than fourteen days have passed and no objections were filed.

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 finds that the Findings and Recommendations are supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations issued August 23, 2011, are ADOPTED IN FULL; and

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2. Defendant Kubo is DISMISSED WITH PREJUDICE from this action based on Plaintiff's failure to state a claim against K-9 Kubo.

3. This action SHALL PROCEED only against Defendant Tushnet.

IT IS SO ORDERED.

**Dated: September 15, 2011**

**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE