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2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF CALIFORNIA
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8 KEITH LEE WHITE,
9 Plaintiff,

10 vs.

11 D. VAN LEER, et al.,
12 Defendants.

Case No. 1:11 cv 01835 LJO GSA PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 8)

ORDER DISMISSING ACTION FOR
FAILURE TO STATE A CLAIM UPON
WHICH RELIEF MAY BE GRANTED

ORDER THAT DISMISSAL IS SUBJECT
TO 28 U.S.C. § 1915(g)

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21 Plaintiff is a state prisoner proceeding pro se in this civil rights action pursuant to 42
22 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28
23 U.S.C. § 636(b)(1).
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25 On November 6, 2013, [findings and recommendations](#) were entered, recommending
26 dismissal of this action for failure to state a claim upon which relief can be granted. Plaintiff was
27 provided an opportunity to file objections within thirty days. To date, Plaintiff has not filed
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1 objections or otherwise responded to the findings and recommendations.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 305, this
3 Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
4 Court finds the findings and recommendations to be supported by the record and proper analysis.
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6 Accordingly, THE COURT HEREBY ORDERS that:

7 1. The findings and recommendations issued by the Magistrate Judge on November 6,
8 2013, are adopted in full;

9 2. This action is dismissed with prejudice, based on Plaintiff's failure to state a claim
10 upon which relief may be granted under section 1983;

11 3. This dismissal is subject to the "three strikes" provision set forth in 28 U.S.C.
12 §1915(g); and
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14 4. The Clerk of Court is directed to close this case.
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18 IT IS SO ORDERED.

19 Dated: December 9, 2013

20 /s/ Lawrence J. O'Neill

21 UNITED STATES DISTRICT JUDGE
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