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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 JERRY LEWIS,

12 Plaintiff,

13 vs.

14 JEFFERY WANG, et al.,

15 Defendants.  
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1:12-cv-01867-LJO-GSA-PC

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(Doc. 10.)

ORDER DISMISSING ACTION, WITH  
PREJUDICE, FOR FAILURE TO STATE A  
CLAIM UPON WHICH RELIEF MAY  
BE GRANTED UNDER SECTION 1983

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

ORDER FOR CLERK TO CLOSE CASE

20 Jerry Lewis (“plaintiff”) is a state prisoner proceeding pro se in this civil rights action  
21 pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge  
22 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

23 On May 8, 2014, [findings and recommendations](#) were entered, recommending that this  
24 action be dismissed based on plaintiff’s failure to state a claim upon which relief may be  
25 granted under §1983. (Doc. 10.) On July 7, 2014, Plaintiff filed [objections](#) to the findings and  
26 recommendations. (Doc. 13.)

27 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this  
28 court has conducted a de novo review of this case. Having carefully reviewed the entire file,

1 including plaintiff's objections, the court finds the findings and recommendations to be  
2 supported by the record and proper analysis.

3 Accordingly, THE COURT HEREBY ORDERS that:

- 4 1. The Findings and Recommendations issued by the Magistrate Judge on May 8,  
5 2014, are adopted in full;
- 6 2. This action is dismissed, with prejudice, based on plaintiff's failure to state a  
7 claim upon which relief may be granted under § 1983;
- 8 3. This dismissal is subject to the "three-strikes" provision set forth in 28 U.S.C. §  
9 1915(g). Silva v. Vittorio, 658 F.3d 1090, 1098 (9th Cir. 2011); and
- 10 4. The Clerk of Court is directed to close this case.

11 IT IS SO ORDERED.

12  
13 Dated: July 9, 2014

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