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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DEWAYNE THOMPSON,)	1:13-cv-00527-AWI-BAM (PC)
)	
Plaintiff,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS REGARDING
v.)	DISMISSAL OF ACTION FOR FAILURE
)	TO STATE A CLAIM
J. DEPOND,)	
)	(ECF Nos. 1, 12)
Defendant.)	
)	
)	

Plaintiff DeWayne Thompson (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On April 24, 2014, the Magistrate Judge issued Findings and Recommendations that this action be dismissed based on Plaintiff’s failure to state a cognizable section 1983 claim and denied him leave to amend. The Findings and Recommendations were served on Plaintiff and contained notice that any objections were to be filed within fifteen days. (ECF No. 12.) Plaintiff filed objections on May 5, 2014. (ECF No. 13.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, including Plaintiff’s objections, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, issued on April 24, 2014, are adopted in full;
2. This action is DISMISSED based on Plaintiff's failure to state a cognizable section 1983 claim; and
3. The dismissal is subject to the "three-strikes" provision set forth in 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

Dated: May 9, 2014



SENIOR DISTRICT JUDGE