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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 TROY ANTHONY RHODES,

12 Plaintiff,

13 vs.

14 S. SHERMAN,

15 Defendant.
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1:14-cv-00494-AWI-GSA-PC
[Kings County Superior Court case #12-C-0319]

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. 9.)

ORDER REMANDING CASE TO KINGS
COUNTY SUPERIOR COURT

ORDER FOR CLERK TO CLOSE CASE
AND SERVE NOTICE OF REMAND

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

23 On April 14, 2014, [findings and recommendations](#) were entered, recommending that
24 this action be remanded to the Kings County Superior Court. (Doc. 9.) The parties were
25 granted thirty days in which to file objections to the findings and recommendations. (*Id.*) On
26 April 21, 2014, Plaintiff filed a [notice](#) of non-opposition to the findings and recommendations.
27 (Doc. 10.) To date, Defendant Sherman has not filed objections or otherwise responded to the
28 findings and recommendations. (Court Record.)

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
2 court has conducted a de novo review of this case. Having carefully reviewed the entire file,
3 the court finds the findings and recommendations to be supported by the record and proper
4 analysis.

5 Accordingly, THE COURT HEREBY ORDERS that:

- 6 1. The Findings and Recommendations issued by the Magistrate Judge on April 14,
7 2014, are adopted in full;
- 8 2. This action is remanded to the Kings County Superior Court pursuant to 28
9 U.S.C. § 1447(c) for lack of subject matter jurisdiction;
- 10 3. All pending motions are denied as moot; and
- 11 4. The Clerk of Court is directed to close this case and serve notice of the remand.

12 IT IS SO ORDERED.

13 Dated: May 22, 2014

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15 SENIOR DISTRICT JUDGE