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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELEAZAR RAMIREZ,

 Plaintiff,

 v.

DAVE DAVEY,

 Defendants.

No. 1:15-cv-01072 LJO JLT HC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS (Doc. No. 20)

ORDER GRANTING RESPONDENT’S
MOTION TO DISMISS IN PART (Doc. No.
18)

ORDER DISMISSING GROUNDS ONE
THROUGH FIVE, SEVEN, AND EIGHT

ORDER REFERRING CASE BACK TO
MAGISTRATE JUDGE FOR FURTHER
PROCEEDINGS

Petitioner Eleazar Ramirez is a state prisoner proceeding pro se and in propria persona with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 26, 2016, the Magistrate Judge assigned to the case issued Findings and Recommendations to grant in part Respondent’s motion to dismiss the petition as unexhausted. (Doc. No. 18.) The Findings and Recommendations were served upon all parties and contained notice that any objections were to be filed within twenty-one days from the date of service of that order. To date, no party has filed objections.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a

1 *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that
2 the Magistrate Judge's Findings and Recommendations are supported by the record and proper
3 analysis.

4 Accordingly, the court orders as follows:

5 1. The Findings and Recommendations, filed July 26, 2016 (Doc. No. 20), are
6 ADOPTED IN FULL;

7 2. Respondent's motion to dismiss (Doc. No. 11) is GRANTED IN PART;

8 3. Grounds One through Five, Seven, and Eight are DISMISSED WITHOUT
9 PREJUDICE AS UNEXHAUSTED;

10 4. The matter is REFERRED BACK to the Magistrate Judge for further proceedings
11 on Ground Six.

12 IT IS SO ORDERED.

13 Dated: September 15, 2016

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

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