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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

MICHAEL BENANTI, ) Case No. 1:17-cv-01556-LJO-SAB (PC)  
 )  
Plaintiff, )  
 )  
v. ) ORDER ADOPTING FINDINGS AND  
 ) RECOMMENDATIONS, DENYING  
MATEVOUSIAN, ) PLAINTIFF’S EMERGENCY MOTION,  
 ) DENYING REQUEST FOR PHONE PRIVILEGES,  
Defendants. ) DENYING MOTION TO AMEND AS  
 ) UNNECESSARY, AND DENYING MOTION FOR  
 ) APPOINTMENT OF COUNSEL, WITHOUT  
 ) PREJUDICE  
 )  
 ) [ECF Nos. 7, 8, 9, 10]  
 )

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Plaintiff Michael Benanti is appearing pro se and in forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On December 14, 2017, the Magistrate Judge issued Findings and Recommendations recommending that Plaintiff’s motion for emergency relief and request for phone privileges be denied for lack of jurisdiction, Plaintiff’s motion to amend be denied as unnecessary, and Plaintiff’s motion for appointment of counsel be denied, without prejudice. The Findings and Recommendations were served on Plaintiff and contained notice that objections were to be filed within twenty-one days. Plaintiff has not filed objections and the time to do so has expired.

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

4 Accordingly, it is HEREBY ORDERED THAT:

- 5 1. The Findings and Recommendations filed December 14, 2017 (ECF NO. 10) are  
6 adopted in full;
- 7 2. Plaintiff's motion for emergency relief (ECF No. 7) and request for phone privileges  
8 (ECF No. 9) are denied;
- 9 3. Plaintiff's motion to amend (ECF No. 8) is denied as unnecessary; and
- 10 4. Plaintiff's motion for appointment of counsel (ECF No. 7) is denied, without prejudice.

11  
12 IT IS SO ORDERED.

13 Dated: February 7, 2018

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