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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID WAYNE WILSON,

Plaintiff,

No. CIV S-06-0537 FCD GGH P

vs.

A. BAKER, et al.,

Defendants.

ORDER

_____/

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On July 29, 2009, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Defendants have filed objections to the findings and recommendations.

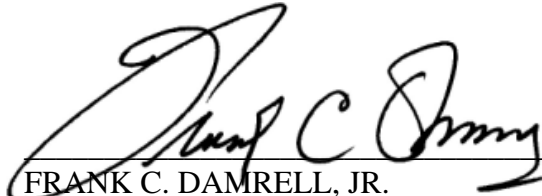
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

1 On August 6, 2009, defendants filed a request for reconsideration of the
2 magistrate judge's order filed July 29, 2009, granting them thirty days to file a summary
3 judgment motion within thirty days of the date of that order. Defendants request that their
4 summary judgment motion be due within thirty days of the instant order instead. Good cause
5 appearing, defendants' motion for reconsideration is granted.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations filed July 29, 2009 are adopted in full;
- 8 2. Defendants' motion to dismiss (Docket # 72) is denied;
- 9 3. Defendants' August 6, 2009, motion for reconsideration (Docket # 78) is
10 granted; defendants' summary judgment motion is due within thirty days of the date of this
11 order.

12 DATED: September 4, 2009.

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15 FRANK C. DAMRELL, JR.
16 UNITED STATES DISTRICT JUDGE
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