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

MATTHEW LEE JASPAR,

Plaintiff,

No. 2:06-cv-1177 GEB KJN P

vs.

KHOURY, 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 Rule 302.

On June 16, 2011, 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-one 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 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 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed June 16, 2011 are adopted in full;

3 2. Defendant's February 11, 2011 motion to dismiss is granted in part and denied
4 in part;

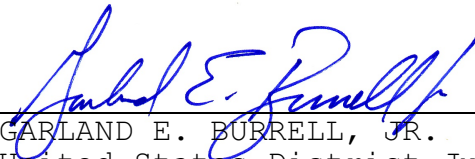
5 3. Plaintiff's equitable claims for system-wide reform are dismissed;

6 4. Defendant Matthew Cate, Secretary of the California Department of
7 Corrections and Rehabilitation, is dismissed from this action;

8 5. This action proceeds on plaintiff's damages claim and his individual claim for
9 equitable relief; and

10 6. Plaintiff is informed that any further failure to respond to an order of this court,
11 or failure to abide by the Federal Rules of Civil Procedure or the Local Rules of this court, will
12 result in dismissal of this action.

13 Dated: September 5, 2011

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15 _____
16 GARLAND E. BURRELL, JR.
United States District Judge