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

EARNEST C. WOODS,

Plaintiff,

No. CIV S-06-1857 GEB EFB P

vs.

TOM L. CAREY, et al.,

Defendants.

ORDER

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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 April 26, 2010, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has 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.

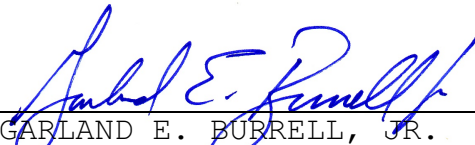
1                   Accordingly, IT IS HEREBY ORDERED that:

2                   1. The findings and recommendations filed April 26, 2010, are adopted in full;

3                   2. Plaintiff's due process claim against defendant Cervantes is dismissed with  
4 prejudice; and

5                   3. With the exception of plaintiff's cognizable retaliation claim against  
6 Cervantes, all claims are dismissed without prejudice to plaintiff bringing them in separate civil  
7 rights actions.

8 Dated: July 22, 2010

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12 GARLAND E. BURRELL, JR.  
13 United States District Judge  
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