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

JAMES WILKERSON, a.k.a.,  
ADONAI EL-SHADDAI,

Plaintiff,

No. CIV S-06-1898 FCD EFB P

vs.

B. WHEELER, 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 General Order No. 262.


On March 13, 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 fourteen days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed March 13, 2009, are adopted in full;
2. Defendants' August 1, 2008, motion for summary judgment is denied;
3. Plaintiff is given 30 days to file and serve a pretrial statement; and,
4. Defendants are given 15 days to file and serve a pretrial statement.

DATED: November 16, 2009.

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE