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

IBRAHIM ABDULLAH,

No. 2:06-cv-02378 MCE CMK (TEMP) P

Plaintiff,

vs.

ORDER

CDC, et al.,

Defendants.

_____ /

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 November 19, 2010, 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. 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 November 19, 2010 are adopted in full;

2. Defendant Cunningham's motion for summary judgment (ECF No. 46) is granted as to the incident of June 3, 2003, but denied as to the incidents of May 29 and June 2, 2003.

3. Plaintiff shall file his pretrial statement within thirty days of this Order being electronically filed. Defendant shall file his pretrial statement within fourteen days of service of plaintiff's.

IT IS SO ORDERED.

Dated: February 4, 2011


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE