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

STEVEN WILLIAMS,

Plaintiff,

No. CIV S-06-2381 FCD KJM P

vs.

D.L. RUNNELS, 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 September 1, 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. Plaintiff has not filed objections to the findings and recommendations.<sup>1</sup>

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<sup>1</sup> The court granted plaintiff a forty-five day extension in which to file objections to the findings and recommendations on September 30, 2010. See Docket No. 92. Plaintiff has since submitted other filings to the court, and in one of those documents he states that “plaintiff has filed his objections to the findings and recommendations.” See Docket No. 93. However, the court has not received any objections from plaintiff.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule  
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the  
3 entire file, the court finds the findings and recommendations to be supported by the record and  
4 by proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The findings and recommendations filed September 1, 2010, are adopted in  
7 full;

8 2. Plaintiff's motion to present further evidence of imminent danger, construed  
9 by the court as a motion to reconsider (Docket No. 73) is denied;

10 3. The motion to dismiss by defendants James, Roche and Cox (Docket No. 56)  
11 is granted for failure to exhaust administrative remedies; and

12 4. Plaintiff's motions for summary judgment (Docket Nos. 77 and 81) are denied  
13 as to defendants James, Roche and Cox and denied without prejudice as to defendant Scovel.

14 DATED: December 9, 2010.

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17 FRANK C. DAMRELL, JR.  
18 UNITED STATES DISTRICT JUDGE  
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