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

MARQUIS VERNARD WALKER,

Plaintiff,

No. CIV S-07-1323 WBS EFB P

vs.

T. FELKER, 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 August 30, 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 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 1. The findings and recommendations filed August 30, 2010, are adopted in full;
2 2. Plaintiff's May 6, 2010 request to file a supplemental opposition is denied;
3 3. Defendant Cox's December 22, 2009 motion for summary judgment is denied;
4 4. Plaintiff's March 1, 2010 request to dismiss defendant Dial, is construed as a
5 statement of non-opposition to Dial's motion for summary judgment, and summary judgment is
6 granted in favor of defendant Dial.

7 DATED: September 30, 2010

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9 WILLIAM B. SHUBB
10 UNITED STATES DISTRICT JUDGE
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