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

HOWARD MAURICE HUDSON,

Plaintiff,

No. CIV S-07-1384 WBS KJM P

vs.

OFFICER MICHAEL SMITH,

Defendant.

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 General Order No. 262.

On November 16, 2007, 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 twenty days. Although the court received a letter from plaintiff on October 19, 2008, before the magistrate judge's findings and recommendations were filed, plaintiff has not filed objections to the findings and recommendations. Plaintiff's letter does not alter this court's decision.

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

1 ORDERED that:

2 ////

3 1. The findings and recommendations filed November 16, 2007, are adopted in
4 full; and

5 2. The action is dismissed.

6 DATED: February 1, 2008



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8 WILLIAM B. SHUBB
9 UNITED STATES DISTRICT JUDGE
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