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

CURTIS HOLLIDAY,
Plaintiff,
vs.
B. NAKU, et al.,
Defendants.

No. CIV S-07-1422-LKK-CMK-P

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On June 26, 2009, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. Timely objections to the findings and recommendations have been filed.


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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire
3 file, the court finds the findings and recommendations to be supported by the record and by
4 proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed June 26, 2009, are adopted in
7 full;
- 8 2. Defendant Naku's motion for summary judgment (Doc. 22) is granted;
- 9 3. Defendant Naku is terminated as a party to this action; and
- 10 4. The case is referred back to the Magistrate Judge for further proceedings
11 as to plaintiff's claim against defendant Traquina.

12 DATED: September 17, 2009.

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15 LAWRENCE K. KARLTON
16 SENIOR JUDGE
17 UNITED STATES DISTRICT COURT
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