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

LAWRENCE PAMER,
Plaintiff,

2:07-cv-1902-MCE-CMK-P

v.

ORDER

ARNOLD SCHWARZENEGGER, et al.,
Defendants.

_____ /

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 December 23, 2010, the Magistrate Judge filed findings and recommendations (ECF No. 87) herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No timely objections to the findings and recommendations have been filed, despite additional time being granted to do so.

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.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed December 23, 2010, are adopted in full;

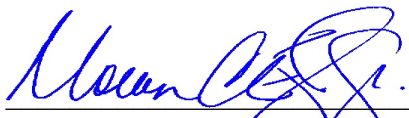
3 2. Defendants' motion to dismiss (ECF No. 70) is granted in part and denied in part,
4 as set forth in the magistrate judge's findings and recommendations;

5 3. Defendants Anderson, Andreason, Aronsen, Bick, Cox, Cry, Donahue, Felker,
6 Geoffrey, Grannis, James, Johnson, Khoury, Warwick, Lamberton, McDonald, Miller, Moreno,
7 O'Ran, R. Perez, T. Perez, Prebula, Roche, Schwartz, Schwarzenegger, Surges, Sweigert, Tilton,
8 and Weaver are dismissed from this action;

9 4. This case will proceed against defendants Cobb, Gordon and Hill only, on
10 plaintiff's claims for violation of his Eighth Amendment rights against defendant Cobb relating
11 to access to bathroom facilities, and his failure to protect claims against defendants Gordon and
12 Hill which were not challenged in the motion; and

13 5. Defendants Cobb, Gordon and Hill are directed to file an answer to the remaining
14 claims in the second amended complaint (ECF No. 19) within 30 days of the date of this order.

15 Dated: March 29, 2011

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18 MORRISON C. ENGLAND, JR.
19 UNITED STATES DISTRICT JUDGE
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