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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

\* \* \*

AL GENE FISHER,

Plaintiff,

vs.

T. FELKER, et al.,

Defendants.

2:07-CV-02271- PMP-GWF

**ORDER**

On June 25, 2009, the Honorable George Foley, Jr., United States Magistrate Judge, entered an Order recommending that Plaintiff's Civil Rights Complaint (Doc. #13) be denied.

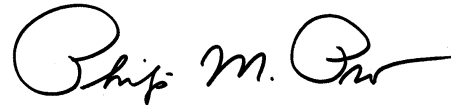
The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(C) and determines that Magistrate Judge Foley's Order (Doc. #28), filed on June 25, 2009, should be Affirmed.

**IT IS THEREFORE ORDERED** that Plaintiff Al Gene Fisher's Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 (Doc. #13) is **DISMISSED** with prejudice based on Plaintiff's failure to comply with Magistrate Judge Foley's Order (Doc. #28) requiring Plaintiff to return the completed Notice of Submission of Documents, completed summons, completed USM-295 forms, and three (3) copies

1 of the endorsed May 12, 2008, complaint to the Clerk of Court.

2 **IT IS FURTHER ORDERED that** Plaintiff Fisher's Motion for an Order  
3 to Show Cause for a Preliminary Injunction (Doc. #27) filed June 12, 2009, is  
4 DENIED as moot.

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6 DATED: September 8, 2009.



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8 PHILIP M. PRO  
9 United States District Judge

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