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4	UNITED STATES DISTRICT COURT
5	EASTERN DISTRICT OF CALIFORNIA
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8	AL GENE FISHER,
9	Plaintiff,
10	vs. ORDER
11	T. FELKER, et al.,
12	Defendants.
13)
14	Before the Court for consideration is Plaintiff Al Gene Fisher's First
15	Amended Complaint (Doc. #13), filed on May 12, 2008. On December 17, 2010, the
16	Honorable George Foley, Jr., United States Magistrate Judge, entered a Report of
17	Findings and Recommendations (Doc. #59) recommending that Plaintiff's First
18	Amended Complaint (Doc. #13) be dismissed with prejudice for failure to state a
19	claim upon which relief may be granted.
20	On December 17, 2010, Plaintiff Fisher was served with Magistrate Judge
21	Foley's Report of Findings and Recommendation (Doc. #59) advising Plaintiff that
22	he had 20 days to file in writing with the Clerk of Court any objections to the Report
23	of Findings and Recommendation (Doc. #59). The time to file any objections has
24	now expired.
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1	The Court has conducted a <u>de novo</u> review of the record in this case in
2	accordance with 28 U.S.C.§ 636(b)(1) and determines that Magistrate Judge Foley's
3	Report of Findings and Recommendation should be Affirmed.
4	IT IS THEREFORE ORDERED that Magistrate Judge Foley's Report
5	of Findings and Recommendation (Doc. #59) is Affirmed.
6	IT IS FURTHER ORDERED that Plaintiff Al Gene Fisher's First
7	Amended Complaint (Doc. #13) against Defendants Wong, Jackson, Grannis, Roche,
8	Felker, Amero, Smith, Richardson and Chrones is DISMISSED with prejudice for
9	failure to state a claim upon which relief may be granted.
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11	DATED: January 19, 2011.
12	Phip M. Ohr
13	PHILIP M. PRO
14	United States District Judge
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