

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

THOMAS P. MARTINEZ, No. CIV S-07-2399-LKK-CMK-F

Plaintiff,

ORDER

C.F. FINN, 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 the California local rules.

On September 16, 2008, 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. No objections to the findings and recommendations have been filed.

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 September 16, 2008, are adopted
3 in full;

4 2. Defendants' unopposed motion to dismiss (Doc. 12) is granted;

5 3. This action is dismissed; and

6 4. The Clerk of the Court is directed to enter judgment and close this file.

7 DATED: January 27, 2009.

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10 LAWRENCE K. KARLTON
11 SENIOR JUDGE
12 UNITED STATES DISTRICT COURT
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