

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

GARY S. GRAY, No. 2:08-cv-00433-MCE-DAD PS
Plaintiff,

CITY OF WEST SACRAMENTO,
Defendant.

Plaintiff, proceeding pro se, filed the above-entitled admiralty action. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On December 15, 2008, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days, and any reply was to be filed within ten days after the filing of objections. Plaintiff filed timely objections, and defendant filed a timely reply.

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

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The findings and recommendations filed December 15, 2008, are adopted in full;
7 2. Defendant's November 4, 2008 motion to dismiss (Doc. No. 9) is granted pursuant to
8 Federal Rule of Civil Procedure 12(b)(6); and
9 3. This action is dismissed with prejudice.

10 Dated: January 9, 2009


11 MORRISON C. ENGLAND, JR.
12 UNITED STATES DISTRICT JUDGE