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

WILLIAM HENRY PRICE,

No. CIV S-08-1153-LKK-CMK-P

Plaintiff,

vs.

ORDER

DAVID B. DILLION, et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, brings this civil rights action. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On April 15, 2009, 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. Timely objections to the findings and recommendations have been filed.

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


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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations filed April 15, 2009, are adopted in
3 full;
- 4 2. Plaintiff's second amended complaint (Doc. 31) is dismissed, without
5 leave to amend, for failure to state a cognizable claim;
- 6 3. Defendants' motion to dismiss (Doc. 33) is granted;
- 7 4. All other pending motions and/or requests are denied as moot; and
- 8 5. The Clerk of the Court is directed to enter judgment of dismissal and close
9 this file.

10 DATED: September 3, 2009.

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14 LAWRENCE K. KARLTON
15 SENIOR JUDGE
16 UNITED STATES DISTRICT COURT
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