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

AYALEW MERGIA,

Plaintiff,

No. 2:08-cv-1159 JAM JFM PS

vs.

ANNE MARIE ADAMS,

Defendant.

ORDER

\_\_\_\_\_ /

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

On June 5, 2009, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within ten days. On June 11, 2009, defendant filed an application for judicial notice. Plaintiff has filed objections to the findings and recommendations. On June 15, 2009, plaintiff filed objections to defendant's request for judicial notice and a supplement to his objections.

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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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 5, 2009, are adopted in full;

2. Defendant's request for attorney's fees and costs is denied; defendant's May 2, 2009 motion for summary judgment is granted, and plaintiff's May 18, 2009 motion for summary judgment is denied; and

3. Defendant's June 11, 2009 application for judicial notice (#57) is denied without prejudice.

DATED: July 21, 2009

/s/ John A. Mendez  
UNITED STATES DISTRICT JUDGE

/mergia.jo