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

RODERICK L. MITCHELL,

No. CIV S-08-2284-FCD-CMK-P

Plaintiff,

vs.

ORDER

ROXAN SANDERS, 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 Eastern District of California local rules.

On July 13, 2010, 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 304(f), 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

1 by proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

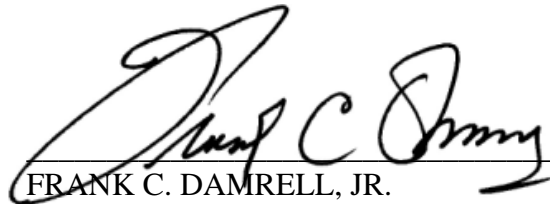
3 1. The findings and recommendations filed July 13, 2010, are adopted in full;

4 2. Defendants' motion to dismiss (Doc. 16) is granted;

5 3. Defendant Whitney is dismissed from this action for failure to state a
6 claim and failure to serve; and

7 4. The Clerk of the Court is directed to enter judgment and close this case.

8 Date: August 20, 2010.

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FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE
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