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

ANTHONY GRAHAM,

Plaintiff,

No. 2:08-cv-2533 GEB KJN P

vs.

JUBB, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 9, 2011, 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 twenty-one days. On October 25, 2011, plaintiff was granted an additional thirty days in which to file a response to the September 9, 2011 order and findings and recommendations. That time has now passed, and neither party has filed objections to the findings and recommendations.

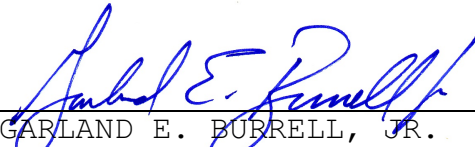
The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1 1. The findings and recommendations filed September 9, 2011, are adopted in
2 full;

3 2. The June 21, 2011 motion to dismiss plaintiff's claims against defendant
4 Wiggins, based on an alleged failure to exhaust administrative remedies, is granted; and

5 3. Plaintiff's claims against defendant Wiggins are dismissed without prejudice.

6 Dated: December 2, 2011

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GARLAND E. BURRELL, JR.
United States District Judge