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

JAMES ALEXANDER,

Plaintiff,

No. 2:08-cv-2773 MCE KJN P

vs.

CALIFORNIA DEPARTMENT
OF CORRECTIONS, 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 June 28, 2012, the magistrate judge filed findings and recommendations herein (ECF No. 113) 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 fourteen days. 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:

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1. The findings and recommendations filed June 28, 2012, are ADOPTED IN FULL.

2. Plaintiff's motion for extension of time to file a second notice of appeal (Dkt. No. 112) is denied without prejudice.

3. Plaintiff's Notice of Appeal submitted to prison authorities for mailing on April 22, 2012, is deemed timely filed.

4. The Clerk of Court shall separately file plaintiff's Notice of Appeal (currently set forth in Dkt. No. 112 at 9-11), with a notation on the docket that the Notice of Appeal has been deemed timely filed.

Dated: August 21, 2012


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE