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

MICHAEL J. HICKS,

Plaintiff,

No. CIV S-08-2844 MCE KJM P

vs.

JAMES WALKER, Warden, 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 General Order No. 262.

On May 29, 2009, the magistrate judge filed findings and recommendations herein which were served on plaintiff. Plaintiff has filed objections to the findings and recommendations.

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 May 29, 2009, are adopted in full;
2. Plaintiff's motion for reconsideration (Docket No. 14) is denied; and
3. Defendant Walker is dismissed from the action.

Dated: July 17, 2009



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE