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

GENE WOODHAM,

Plaintiff,

No. CIV S-09-0082 WBS GGH P

vs.

RN DATOR, et al.,

Defendants.

ORDER

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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 July 29, 2010, 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 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 July 29, 2010, are adopted in full;

2. Defendants' motion to dismiss, filed on January 19, 2010 (docket # 23) is granted in part and denied in part:

a) Granted as to defendant Soltanian-Zadeh on plaintiff's claims regarding his stent and kidney-related claims and these claims are dismissed as administratively unexhausted;

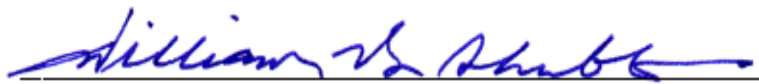
b) Denied as to plaintiff's claims of inadequate medical care against defendant Soltanian-Zadeh regarding plaintiff's left ankle condition;

c) Granted as to defendants Cook and Wohlers and the claims against these defendants are dismissed as not exhausted administratively;

d) Denied as to plaintiff's claims of deliberate indifference to plaintiff's medical needs on August 23, 2007, alleged against defendants Dator and Stormes;

e) Granted as to defendant Williams.

DATED: September 10, 2010



WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

wood0082.CJRA