IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH MUNSON,

Plaintiff, No. CIV S-09-0478 JAM EFB P

vs.

STATE OF CALIFORNIA, et al.,

Defendants. ORDER

_____/

Plaintiff, a former state prisoner proceeding through counsel, has filed this civil action. 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 February 25, 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 fourteen days. Neither party has filed objections to the findings and recommendations.[1]

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[1] Plaintiff filed a response to the magistrate judge's findings and recommendations on March 8, 2010, and indicated that he does not object to the findings and recommendations. Dckt. No. 27.

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. The findings and recommendations filed February 25, 2010, are adopted in full;

2. The court declines to exercise supplemental jurisdiction over plaintiff's Unruh Civil Rights Act claim pursuant to 28 U.S.C. § 1367(c);

3. Claims against Doe defendants are dismissed without prejudice; and

4. Defendant is directed to, within thirty days, file a response to the complaint as herein narrowed.

So ordered.

DATED: May 21, 2010

/s/ John A. Mendez
UNITED STATES DISTRICT JUDGE