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

BRENT ALLAN WINTERS, et al.,

Plaintiffs,

No. CIV-S-09-00522 JAM KJN PS

v.

DELORES JORDAN, et al.,

Defendants.

ORDER

_____ /

On June 20, 2011, the magistrate judge filed findings and recommendations (Dkt. No. 292) herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. On July 7, 2011, plaintiffs filed objections to the proposed findings and recommendations, which have been considered by the court.

This court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982); see also Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and decides the motions on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th

1 Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi
2 Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

3 The court has reviewed the applicable legal standards and, good cause appearing,
4 concludes that it is appropriate to adopt the proposed findings and recommendations in full.

5 Accordingly, IT IS ORDERED that:

6 1. The Proposed Findings and Recommendations filed June 20, 2011, are ADOPTED;

7 2. Plaintiffs' motion for default judgment (Dkt. No. 189) is denied as to the following
8 defendants: Jan Paul Miller, Bernard Coleman, Sue Roderick, Kathi Jo McBride, Stephen
9 Tinsley, Kevin Martens, Phillip Johnson, Hilda Molnar, Robert Anderson, Donald Staggs, James
10 Pogue, Patrick Chelsey, Hilary Frooman, John Taylor, and Eric Holder, Jr.

11 3. Defendant John Taylor's motion to dismiss (Dkt. No. 199) is granted on the ground
12 that this court lacks personal jurisdiction over him, and Taylor is dismissed from this action.

13 4. The motion to dismiss filed by defendants Jan Paul Miller, Bernard Coleman, Sue
14 Roderick, Kathi Jo McBride, Stephen Tinsley, Kevin Martens, Phillip Johnson, Hilda Molnar,
15 Robert Anderson, Donald Staggs, James Pogue, Patrick Chelsey, and Hilary Frooman (Dkt. No.
16 186) is granted on the ground that this court lacks personal jurisdiction over them, and these
17 defendants are dismissed from this action.

18 DATED: September 19, 2011

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20 /s/ John A. Mendez
21 UNITED STATES DISTRICT JUDGE
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