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

K. JAMEL WALKER,

Plaintiff,

No. 2:09-cv-0569-WBS-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 February 22, 2012, 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.

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 1. The findings and recommendations filed February 22, 2012, are adopted in
2 full.

3 2. Defendants' motion to dismiss (Dkt. No. 22), is granted in part, and denied in
4 part.

5 3. Plaintiff's state law claims ("causes of action" two through five), and federal
6 claims for injunctive and declaratory relief, are dismissed without leave to amend.

7 4. This action shall proceed only on plaintiff's federal damages claims under
8 Section 1983 ("cause of action" one), against the current defendants (Ryan, Bourland, Nunez,
9 Chavarria, Anaya, Rush, and Price).

10 5. Plaintiff is granted leave to file and serve, within thirty (30) days after the date
11 of this order, an amended complaint that clearly alleges, against the appropriate defendants, only
12 those federal claims addressed in the findings and recommendations. The amended complaint
13 shall be limited in length to twenty (20) pages, and should be typed and double-spaced. Failure
14 of plaintiff to timely file and serve an amended complaint that conforms to these parameters shall
15 result in the dismissal of this action.

16 DATED: March 21, 2012

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18 WILLIAM B. SHUBB
19 UNITED STATES DISTRICT JUDGE
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