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

EUGENE ALLEN,

Plaintiff,

No. CIV S-09-1141 WBS EFB P

vs.

CONSTANCE PICCIANO,

Defendant.

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 June 30, 2010, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.¹

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¹ Plaintiff did, however, request that the court rule on his request for an injunction. Dckt. No. 24. He also requested that this action be dismissed. Dckt. No. 23.

1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

- 4 1. The findings and recommendations filed June 30, 2010 are adopted in full.
- 5 2. Plaintiff's November 16, 2009 motion for a preliminary injunction is denied.
- 6 3. This action is dismissed for failure to state a claim. 28 U.S.C. § 1915A.
- 7 4. The Clerk is directed to close the case.

8 DATED: August 20, 2010

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11 WILLIAM B. SHUBB
12 UNITED STATES DISTRICT JUDGE
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