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

JEROME DONALD CLARK,

Plaintiff,

No. CIV S-09-1638 WBS GGH P

vs.

CALIFORNIA STATE PRISON SOLANO  
MEDICAL CARE SYSTEM, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

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Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On June 26, 2009, the court found that plaintiff's complaint stated a colorable claim for relief against defendants Tran, Rohrer, Noriega and Collinsworth. The court found that the complaint did not state a colorable claim for relief against defendants Reyes, Freedhand and California State Prison Solano Medical Care System. Plaintiff was granted thirty days to file an amended complaint. Thirty days passed and plaintiff did not file an amended complaint. Accordingly, the court separately orders service of defendants Tran, Rohrer, Noriega and Collinsworth. For the reasons stated in the June 26, 2009, order, the court recommends dismissal of the claims against defendants Reyes, Freedhand and California State Prison Solano Medical Care System.

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Accordingly, IT IS HEREBY RECOMMENDED that the claims against defendants Reyes, Freedhand and California State Prison Solano Medical Care System contained in the complaint be dismissed for the reasons stated in the June 26, 2009, order.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

DATED: August 17, 2009

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

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