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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	JAMES ABEL,
11	Plaintiff, No. CIV S-09-1749 JAM CKD P
12	VS.
13	MIKE MARTEL, et al.,
14	Defendants. <u>ORDER</u>
15	/
15 16	/ Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action
	/ 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
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16 17	seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
16 17 18	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 General Order No. 262.
16 17 18 19	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 General Order No. 262. On November 18, 2011, the magistrate judge filed findings and recommendations
16 17 18 19 20	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 General Order No. 262. On November 18, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any
16 17 18 19 20 21	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 General Order No. 262. On November 18, 2011, 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 twenty-one days. Neither
 16 17 18 19 20 21 22 	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 General Order No. 262. On November 18, 2011, 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 twenty-one days. Neither party has filed objections to the findings and recommendations.
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 16 17 18 19 20 21 22 23 24 	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 General Order No. 262. On November 18, 2011, 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 twenty-one 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
 16 17 18 19 20 21 22 23 24 25 	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 General Order No. 262. On November 18, 2011, 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 twenty-one 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:

1	1. The findings and recommendations filed November 18, 2011, are adopted in
2	full;
3	2. Defendant Martel, Long, Sauceda, Lackner, Barroga and Childress's May 11,
4	2011 motion to dismiss is denied in part and granted in part as follows:
5	A. Denied with respect to the following claims:
6	1. Defendants Martel, Lackner and Long denied plaintiff the
7	ability to purchase and possess religious items which were
8	approved in the "Technical Reference Manual" for group worship
9	only in violation of the First Amendment and RLUIPA.
10	2. On April 27, 2009, defendants Sauceda and Childress
11	confiscated religious items from plaintiff in violation of the First
12	Amendment and RLUIPA.
13	B. Granted in all other respects resulting in dismissal of all other claims
14	against defendants Martel, Long, Sauceda, Lackner, Barroga and Childress
15	for failure to exhaust administrative remedies.
16	3. Defendant Barroga is dismissed from this action.
17	DATED: February 23, 2012
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19	/s/ John A. Mendez UNITED STATES DISTRICT COURT JUDGE
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