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

ANDREW RICK LOPEZ,
Plaintiff,

No. 2:09-cv-01760 MCE GGH P

vs.

ORDER

ARNOLD SCHWARZENEGGER, et al.,
Defendants.

_____ /

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 January 10, 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. Plaintiff has filed objections to the findings and recommendations.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
2 Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
3 Court finds the findings and recommendations to be supported by the record and by proper
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The findings and recommendations filed January 10, 2012 (ECF No. 124), are
7 ADOPTED in full;


8 2. The July 25, 2011 motion to dismiss (ECF No. 76) is GRANTED and;
9 a) plaintiff's claim against defendant Roman is dismissed as barred by the statute
10 of limitations and defendant Roman is dismissed with prejudice from this action;

11 b) claims two, three, six and seven are dismissed as to defendant Kissel.

12 3. With respect to claims two and six, three and seven, these claims are DISMISSED
13 with prejudice as to all defendants.

14 4. This matter proceeds as to the remaining fourteen defendants on claims one, four and
15 five only.

16 Dated: February 29, 2012

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19 MORRISON C. ENGLAND, JR.
20 UNITED STATES DISTRICT JUDGE
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