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

MARCUS LARRY CLEWIS,

Plaintiff,

No. 2: 09-cv-2120 JAM GGH P

vs.

CALIFORNIA PRISON HEALTH
CARE SERVICES, 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 August 1, 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. The findings and recommendations filed August 1, 2012, are adopted in full;

2. Defendant Mercy Hospital of Folsom’s motion to dismiss, filed on January 3, 2012 (docket # 43), is denied, and this defendant is ordered to file an answer within twenty-one days of the filed date of this order.

DATED: September 11, 2012

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE