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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	LAWRENCE CYPRIAN,
11	Plaintiff, No. 2:09-cv-2704 JAM JFM (PC)
12	VS.
13	DERRICK GIVENS, et al.,
14	Defendants. ORDER
15	/
16	Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action
17	seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
18	Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.
19	On December 19, 2011, the magistrate judge filed findings and recommendations
20	herein which were served on all parties and which contained notice to all parties that any
21	objections to the findings and recommendations were to be filed within fourteen days. Neither
22	party has filed objections to the findings and recommendations.
23	The court has reviewed the file and finds the findings and recommendations to be
24	supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
25	ORDERED that:
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1	1. The findings and recommendations filed December 19, 2011, are adopted in
2	full;
3	2. Defendants' July 14, 2011 renewed motion to dismiss is granted;
4	3. Plaintiff's equal protection and due process claims arising out of the alleged
5	issuance of false disciplinary charges are dismissed with leave to amend;
6	4. Plaintiff's claim of interference with his right to access the courts is dismissed
7	without leave to amend;
8	5. Plaintiff's Eighth Amendment claim of deliberate indifference to his serious
9	medical needs is dismissed without leave to amend;
10	6. Plaintiff is granted thirty days from the date of this order to file a fourth
11	amended complaint raising only his equal protection and/or due process claims arising from the
12	alleged issuance of false disciplinary charges; and
13	7. Defendants are not required to respond to any fourth amended complaint until
14	it is screened by the magistrate judge pursuant to 28 U.S.C. § 1915A.
15	DATED: January 18, 2012
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17	/s/ John A. Mendez UNITED STATES DISTRICT JUDGE
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