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

JAVIAD AKHTAR,

Plaintiff,

No. 2:09-cv-02733 MCE -AC

vs.

J. MESA, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner, 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 April 25, 2013, 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 (14) 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 April 25, 2013 (ECF No. 60.), are adopted in full;
2. The motion to dismiss (ECF No. 55), filed on February 22, 2013, is denied; and
3. Defendants are ordered to file an answer within thirty days of the date of this order.

IT IS SO ORDERED.

Date: June 06, 2013



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT