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

MORRIS MESTER,

Plaintiff,

No. 2:09-cv-3307 FCD KJN P

vs.

K. DICKINSON, 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 September 29, 2010, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. Plaintiff has filed objections to the findings and recommendations. (Dkt. No. 39.) However, plaintiff now withdraws his concerns about his transfer to Salinas Valley State Prison. (Id. at 1.)

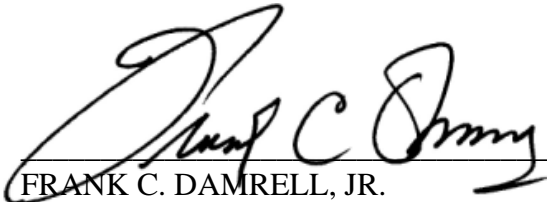
The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed September 29, 2010, are adopted in full; and

2. The September 23, 2010 motion to stop his transfer to Salinas Valley State Prison Level (4) yard (dkt. no. 34), construed as a motion for a temporary restraining order, is denied.

DATED: October 22, 2010.



FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE