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

MARVIN GLENN HOLLIS,

Plaintiff,

No. CIV S-09-3431 FCD KJN P

vs.

M.S. DOWNING, 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 December 9, 2010, 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 twenty-one days. Plaintiff has filed objections to the findings and recommendations.

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

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed December 9, 2010, are adopted in
3 full.

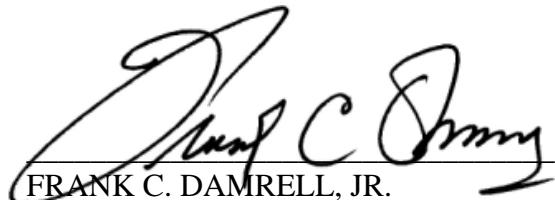
4 2. Defendants' May 28, 2010 motion to dismiss (dkt. no. 35-1) is partially
5 granted.

6 3. Pursuant to the "three strikes" rule under 28 U.S.C. § 1915(g), plaintiff is
7 barred, while incarcerated, from filing further civil rights complaints in federal court without
8 prepayment of the full filing fee.

9 4. Plaintiff's in forma pauperis status is revoked.

10 5. Plaintiff is granted twenty-one days from the date of any order by the district
11 court adopting this order to pay the filing fee (\$350.00).

12 DATED: February 10, 2011.

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15 FRANK C. DAMRELL, JR.
16 UNITED STATES DISTRICT JUDGE
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