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

DeWAYNE THOMPSON,

No. CIV S-09-3478-JAM-CMK-P

Plaintiff,

ORDER

vs.

CHRIS MAUCK, et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On September 5, 2012, the Magistrate Judge filed amended findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No objections to the findings and recommendations have been filed.

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.

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Accordingly, IT IS HEREBY ORDERED that:

1. The amended findings and recommendations filed September 5, 2012, are adopted in full;
2. Defendant Thompson's motion for summary judgment (Doc. 35) is granted;
3. The Clerk of the Court is directed to enter judgment in favor of defendant Thompson only; and
4. Plaintiff and defendant Mauck shall file status reports, within 30 days of the date of this order, indicating whether this case is ready to be set for trial.

DATED: October 10, 2012

/s/ John A. Mendez
UNITED STATES DISTRICT COURT JUDGE