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

10 THOMAS PAUL WYNN,

11 Plaintiff,

No. CIV S-10-0546 EFB P

12 vs.

13 MATTHEW CATE, et al.,

ORDER

14 Defendants.  
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16 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42  
17 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28  
18 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff's consent. *See* E.D. Cal.  
19 Local Rules, Appx. A, at (k)(4).

20 On October 19, 2010, the court dismissed claims against defendants Smith, Leatherman,  
21 Merritt, Cooper, Lackner, Palubicki, Grannis, Martel, Wilson, Thompson, Kaplan, Barroga,  
22 Cate, and Tilton with leave to amend within 30 days. Plaintiff has not filed amended claims  
23 against these defendants.

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1           Accordingly, IT IS HEREBY ORDERED that defendants Smith, Leatherman, Merritt,  
2 Cooper, Lackner, Palubicki, Grannis, Martel, Wilson, Thompson, Kaplan, Barroga, Cate, and  
3 Tilton are dismissed from this action.

4 DATED: February 1, 2011.

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6 EDMUND F. BRENNAN  
7 UNITED STATES MAGISTRATE JUDGE  
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