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

WILLIAM JAMES,

No. 2:10-cv-0664 MCE DAD P

Plaintiff,

vs.

ORDER

COUNTY OF SACRAMENTO et al.,

Defendants.

_____ /

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 June 11, 2012, 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 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:

1 1. The Findings and Recommendations (ECF No. 43) filed June 11, 2012, are
2 adopted in full;

3 2. Defendants' Motion to Dismiss (ECF No. 31) is GRANTED as follows:

4 a. Defendants' motion to dismiss defendants McGinness and Maness in
5 their official capacity from plaintiff's fourth and fifth claims is
6 GRANTED;


7 b. Defendants' motion to dismiss defendants Nurse Necoechea and Dr.
8 Sotak from plaintiff's second claim is GRANTED;

9 c. Defendants' motion to dismiss defendants McGinness, Maness, Nurse
10 Necoechea, Dr. Sotak and Filer from plaintiff's third claim is GRANTED;

11 d. Defendants' motion to dismiss plaintiff's sixth, seventh, eighth, and
12 ninth claims based on state law as barred by the statute of limitations is
13 GRANTED; and

14 3. Defendants are directed to file an answer to plaintiff's remaining claims within
15 thirty days.

16 Dated: August 6, 2012

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19 MORRISON C. ENGLAND, JR.
20 UNITED STATES DISTRICT JUDGE
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