

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

JAMES S. GRILL,

Plaintiff,

CIV-S-10-0757 GEB GGH PS

vs.

TOM QUINN, et al.,

Defendants.

ORDER

_____ /

On December 29, 2010, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within twenty-one days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Findings and Recommendations in full.

\\\\\\

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

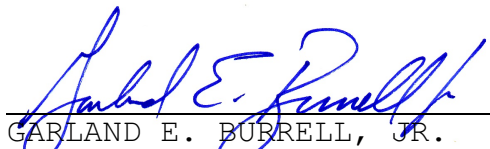
Accordingly, IT IS ORDERED that:

1. The Findings and Recommendations filed December 29, 2010, are ADOPTED;

and

2. The Forest Service motion to dismiss for lack of jurisdiction is denied as to Claim 1, and granted as to Claim 2. The motion to dismiss for failure to state a claim is granted as to Claim 3.

Dated: March 1, 2011



GARLAND E. BURRELL, JR.
United States District Judge