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

STEVEN ADAMS,

Petitioner,

No. CIV S-10-0787 GEB GGH P

vs.

GARY SWARTHOUT, et al.,

Respondents.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. 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 September 20, 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 fourteen days. Neither party has filed objections to the findings and recommendations.

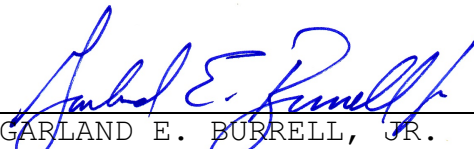
The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed September 20, 2010, are adopted in full;
2. Respondent's July 21, 2010, motion to dismiss is denied; and
3. Respondent shall file an answer to the petition within sixty days of the filed date of this order.

Dated: December 10, 2010



GARLAND E. BURRELL, JR.
United States District Judge