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

LUIS ARMENTERO,

Plaintiff,

No. CIV S-10-0965 KJM KJN P

vs.

K.L. DICKINSON, et al.,

Defendants.

ORDER

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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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 5, 2011, the magistrate judge filed findings and recommendations, 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 twenty-one days.

The magistrate judge recommended that defendants' motion to dismiss be denied. Plaintiff has filed what appears to be further briefing in opposition to defendants' motion to dismiss. The court construes this filing as responding to the magistrate judge's recommendations.

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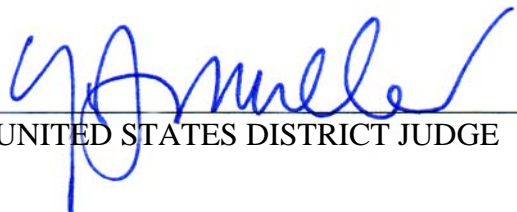
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule  
2 304, this court has conducted a *de novo* review of this case. Having carefully reviewed the file,  
3 the court finds the findings and recommendations to be supported by the record and by the  
4 proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed July 5, 2011, are adopted in full; and
- 7 2. Defendants' motion to dismiss (ECF No. 50) is denied;
- 8 3. Defendants shall file an answer to the complaint within twenty-one days of the

9 date of this order.

10 DATED: January 4, 2012.

  
UNITED STATES DISTRICT JUDGE

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