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

ELDRED NICHOLSON,

Plaintiff,

No. CIV S-10-1425 KJM EFB P

vs.

D. MEDINA, et al.,

Defendants.

ORDER

_____/

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 January 12, 2011, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

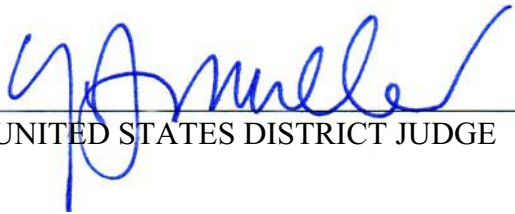
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1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

4 1. The findings and recommendations filed January 12, 2011, are adopted in full;
5 and

6 2. Plaintiff's claims against defendants Cate, McDonald and Swingle are
7 dismissed without prejudice.

8 DATED: May 16, 2011.

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11 _____
12 UNITED STATES DISTRICT JUDGE
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