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

GILBERT S. MARTINEZ,

Plaintiff,

No. CIV S-10-1485 WBS GGH P

vs.

YOLANDA RODRIGUEZ,

Defendant.

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 September 15, 2010, the magistrate judge filed findings and recommendations herein 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 filed objections to the findings and recommendations.

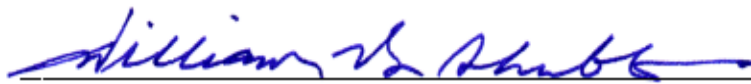
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 15, 2010, are adopted in full; and
2. Plaintiff's motion to proceed in forma pauperis is denied, and that plaintiff is ordered to submit the appropriate filing fee within twenty-eight days from the date of the order denying plaintiff's motion.

DATED: October 8, 2010



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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