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

KENNETH SMITH,

Plaintiff,

No. CIV S-10-1615 JAM EFB PS

vs.

AGENT GLINDA PAGE, et al.,

ORDER

Defendants.

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On September 22, 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 fourteen days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified Sch. 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 proposed Findings and Recommendations in full.

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Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed September 22, 2010, are ADOPTED; and
2. This action is dismissed without prejudice and the Clerk is directed to close the case. See Fed. R. Civ. P. 41(b); L.R. 110, 183(b).

DATED: November 9, 2010

/s/ John A. Mendez  
UNITED STATES DISTRICT JUDGE