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

PNC BANK, N.A., a National Association,  
as successor in interest to National City Bank,

Plaintiff,

No. 2:10-cv-1916-JAM-EFB PS

vs.

BELINDA L. SMITH, in personam;  
JACOB WINDING, in personam;  
B & B DREAMIN', Hull No. GMKD283C505  
(the "Vessel"), its engines, machinery,  
appurtenances, etc., in rem,

ORDER

Defendants.

On January 15, 2013, 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.<sup>1</sup>

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.

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<sup>1</sup> Although it appears from the file that defendant Winding's copy of the findings and recommendations was returned, that party was properly served. It is a party's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

1 1983).

2           The court has reviewed the applicable legal standards and, good cause appearing,  
3 concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

4           Accordingly, IT IS ORDERED that:

5           1. The proposed Findings and Recommendations filed January 15, 2013, are  
6 ADOPTED; and

7           2. Plaintiff's motion for summary judgment, Dckt. No. 39, is denied.

8 DATED: March 18, 2013

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/s/ John A. Mendez  
UNITED STATES DISTRICT COURT JUDGE

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