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

SHEPARD JOHNSON,

Plaintiff,

No. 2:10-cv-1968 GEB GGH PS

vs.

CHESTER MITCHELL, et al.,

Defendants.

ORDER

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On August 8, 2012, the magistrate judge filed findings and recommendations herein which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. (Dkt. No. 222.) No objections were filed. Accordingly, the court presumes any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

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

1. The findings and recommendations (dkt. no. 222) are ADOPTED IN FULL.
2. Plaintiff’s claims against defendant Ford Hermanson are DISMISSED WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 21 and defendant Ford Hermanson is

1 DISMISSED from the action.

2 Dated: August 29, 2012

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GARLAND E. BURRELL, JR.  
Senior United States District Judge

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