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

MICHAEL McCUNE,

Plaintiff,

CIV-S-10-2207 FCD GGH PS

vs.

SATNAM SINGH,

Defendant.

ORDER

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On October 28, 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 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 applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Findings and Recommendations in full.

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Accordingly, IT IS ORDERED that:

1. The Findings and Recommendations filed October 28, 2010, are ADOPTED;
2. Defendant's motion to stay and request for early evaluation conference, filed September 30, 2010, is denied;
3. Defendant shall file an answer within 28 days of the filed date of this order.

DATED: January 4, 2011.

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE