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

DENNIS G. CLAIBORNE,

Plaintiff,

No. CIV S-10-2427 LKK EFB P

vs.

BLAUSER, et al.,

Defendants.

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 August 31, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days from the date the findings and recommendations were served. After an extension of time, plaintiff filed objections to the findings and recommendations.¹

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¹ Concurrently with his objections, plaintiff filed a second request for an extension of time. As his objections were timely filed, that request is denied as unnecessary.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire
3 file, the court finds the findings and recommendations to be supported by the record and by
4 proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The findings and recommendations (Dkt. No. 22) filed August 31, 2011, are
7 **ADOPTED** in full; and


8 2. Plaintiff's September 26, 2011 request for an extension of time (Dkt. No. 27)
9 is **DENIED** as moot;

10 3. Plaintiff's July 14, 2011 motions to appoint counsel and for removal from state
11 custody to federal (Dkt. No. 20) are **DENIED**. The motion to appoint counsel is **DENIED** for
12 the reasons stated in the findings and recommendations. The motion for removal is **DENIED** for
13 the reasons stated in the findings and recommendations regarding the request for a preliminary
14 injunction.

15 4. Plaintiff's motions for temporary restraining order and for preliminary
16 injunction (Dkt. Nos. 2 and 21) are **DENIED**.

17 **IT IS SO ORDERED.**

18 DATED: September 29, 2011.

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22 LAWRENCE K. KARLTON
23 SENIOR JUDGE
24 UNITED STATES DISTRICT COURT
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