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

UNITED STATES OF AMERICA,

Plaintiff,

No. CIV-S-10-2438-WBS-KJN-PS

vs.

MARIA LOPEZ,

Defendant.

ORDER

On December 16, 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 that 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 Proposed Findings and Recommendations in full.

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1 Accordingly, IT IS ORDERED that:

2 1. The Proposed Findings and Recommendations filed December 16, 2010, are
3 ADOPTED;

4 2. Plaintiff's motion to remand (Dkt. No. 4) is granted on the ground that this court lacks
5 federal subject matter jurisdiction over plaintiff's claims; and

6 3. This matter is hereby REMANDED to the Superior Court of California, County of
7 Sacramento.

8 DATED: February 8, 2011

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11 WILLIAM B. SHUBB
12 UNITED STATES DISTRICT JUDGE
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