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

TERESA J. MOORE,
GERTRUDE V. VIZMANOS,

Plaintiffs,

No. CIV S-10-2445 FCD EFB PS

vs.

BANK OF AMERICA, et al.,

Defendants.

ORDER

On December 22, 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 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. 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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Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed December 22, 2010, are ADOPTED;
2. Plaintiff Moore's claims against defendant Turner are dismissed without prejudice pursuant to Rule 41(a)(2); and
3. Plaintiff Moore is permitted to withdraw as a plaintiff in this action.

DATED: February 7, 2011.


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE