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

MARLIN PENN,

Plaintiff,

No. CIV S-10-2494 GEB EFB PS

vs.

U.S. DEPARTMENT OF JUSTICE,  
et al.,

Defendants.

ORDER

On March 7, 2012, 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.

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.

Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed March 7, 2012, are ADOPTED;
2. The DOJ's motion to dismiss defendants ATF, Huff, Jones, and Price is granted;

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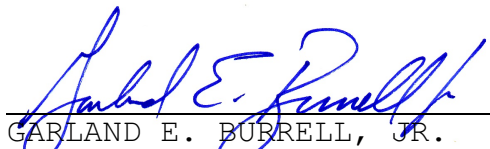
3. The DOJ's motion to dismiss plaintiff's fourth and fifth FOIA claims is granted;

4. The DOJ's motion for summary judgment on plaintiff's first, second, and third FOIA claims is granted;

5. Plaintiff's requests to amend and for a stay of this case is denied; and

6. The Clerk is directed to enter judgment for the DOJ and close this case.

Dated: March 27, 2012

  
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GARLAND E. BURRELL, JR.  
United States District Judge