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

MICHAEL CORBETT,

Plaintiff,

No. 2: 11-cv-1197 JAM JFM (PC)

vs.

R. MICHAEL HAWKINS, 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 November 2, 2012, 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 twenty days. Neither party has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 2, 2012, are adopted in full;

2. Defendants' April 9, 2012 motion to dismiss (Dkt. No. 17.) is GRANTED IN PART with leave to amend to plaintiff as set forth in the November 2, 2012 findings and recommendations; and

3. Plaintiff shall have thirty (30) days of the date of this order in which to file an amended complaint.

DATED: December 11, 2012

/s/ John A. Mendez
UNITED STATES DISTRICT COURT JUDGE