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

DEXTER BROWN,

Plaintiff,

No. CIV S-12-0934 KJM KJN P

vs.

EDMUND G. BROWN, 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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 6, 2012, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. Plaintiff has not filed objections to the findings and recommendations.

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.

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1 1983). Having carefully reviewed the file, the court finds the findings and recommendations to
2 be supported by the record and by the proper analysis.

- 3 1. The findings and recommendations filed June 6, 2012, are adopted in full; and
4 2. Plaintiff's second and third claims for relief are dismissed based on plaintiff's
5 failure to exhaust administrative remedies.¹

6 DATED: September 5, 2012.

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9 UNITED STATES DISTRICT JUDGE
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25 _____
26 ¹ Plaintiff affirmatively stated in his complaint that he did not exhaust his administrative remedies as to claims II and III. (Dkt. No. 1 at 2; 11 at 5.)