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

LATHAHN MCELROY,

Plaintiff,

No. 2:12-cv-1518 TLN JFM P

vs.

C/O GUSTAFSON, 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 May 7, 2013, 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 fourteen days. Defendants have not filed objections to the findings and recommendations.

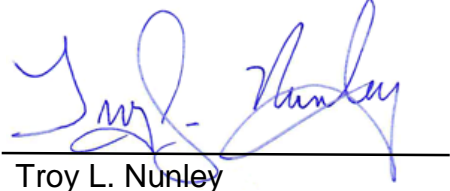
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 7, 2013 (ECF No. 25) are adopted in full;
2. Defendants' October 15, 2012 motion to revoke plaintiff's in forma pauperis status (ECF No. 13) is denied; and
3. Defendants shall answer plaintiff's complaint within ten days from the date of this order.

DATED: September 9, 2013



Troy L. Nunley
United States District Judge

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