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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ZACHARY BARIAN,	No. 2:14-cv-1102 WBS CKD P
Plaintiff,	
v.	<u>ORDER</u>
UNITED STATES OF AMERICA,	
Defendant.	

Plaintiff, a federal 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 25, 2015, 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. Plaintiff 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. 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 November 25, 2015, are adopted in full;

2. Defendant's motion to dismiss for lack of subject matter jurisdiction (ECF No. 12) is granted;

3. Plaintiff's Complaint (ECF No1) is hereby DISMISSED; and

4. Plaintiff is given 30 days from the date of this Order to file an Amended Complaint, if he can do consistent with the Magistrate Judge's Order of July 1, 2014 (ECF No 6) and Findings and Recommendations of November 25, 2015 (ECF No. 24).

Dated: December 21, 2015



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE

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