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

SHARIDAN STILES,
Plaintiff,
v.
WAL-MART STORES, INC., et al.,
Defendants.

No. 2:14-CV-2234-GEB-CMK

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil action. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On September 2, 2015, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. Timely objections to the findings and recommendations have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304(f), tis 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.

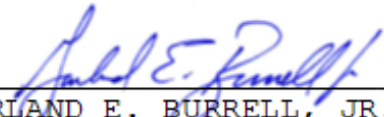
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 2, 2015, are adopted in full;
2. Plaintiff's motion (Doc. 33) for leave to file additional briefing is granted;
3. Defendants' motion to dismiss (Doc. 24) is granted;
4. Plaintiff's first amended complaint is dismissed with leave to amend, except as to any claim under California Business and Professions Code § 17200 based on patent infringement, which is preempted and is dismissed with prejudice; and
5. Plaintiff shall file a second amended complaint consistent with the September 2, 2015, findings and recommendations within 30 days of the date of this order.

Dated: February 22, 2016



GARIAND E. BURRELL, JR.
Senior United States District Judge