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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMUEL WINDHAM, JR.,
Plaintiff,
v.
CALIFORNIA MEDICAL FACILITY, et
al.,
Defendants.

No. 2:15-cv-1058 MCE CKD P

ORDER

Plaintiff, a state prisoner proceeding pro se, 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 January 28, 2016, the magistrate judge filed Findings and Recommendations herein (ECF No. 19) which were served on all parties and which contained notice that any objections to the Findings and Recommendations were to be filed within fourteen days. No party has 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. 1983). Having

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1 reviewed the file, the court finds the Findings and Recommendations to be supported by the
2 record and by the magistrate judge's analysis.


3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The Findings and Recommendations filed January 28, 2016 (ECF No. 19) are
5 ADOPTED IN FULL.

6 2. Defendant Duffy is DISMISSED from this action.

7 IT IS SO ORDERED.

8 Dated: February 29, 2016

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12 MORRISON C. ENGLAND, JR., CHIEF JUDGE
13 UNITED STATES DISTRICT COURT
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