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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 STEVEN GARDUNO,

12 Plaintiff,

13 v.

14 MIKE MCDONALD, et al.,

15 Defendants.  
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No. 2:15-cv-02370 MCE AC P

ORDER

17 Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil  
18 rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States  
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On December 3, 2018, the magistrate judge filed findings and recommendations herein  
21 which were served on plaintiff and which contained notice to plaintiff that any objections to the  
22 findings and recommendations were to be filed within fourteen days. ECF No. 24. Plaintiff has  
23 not filed objections to the findings and recommendations.

24 The court has reviewed the file and finds the findings and recommendations to be  
25 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY  
26 ORDERED that:

27 1. The findings and recommendations filed December 3, 2018, (ECF No. 24) are  
28 ADOPTED in full;

1           2. Previously-named defendant Warden Mike McDonald is DISMISSED from this action  
2 without prejudice;

3           3. This case shall proceed on Plaintiff's remaining claims.

4           IT IS SO ORDERED.

5           Dated: January 16, 2019

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7 MORRISON C. ENGLAND, JR.  
8 UNITED STATES DISTRICT JUDGE  
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