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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 RICHARD C. EVERETT,

12 Plaintiff,

13 v.

14 PATTERSON,

15 Defendants.
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No. 2:18-cv-1947 KJM DB P

ORDER

17 Plaintiff is a state prisoner proceeding pro se with a civil rights action under to 42 U.S.C.
18 § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C.
19 § 636(b)(1)(B) and Local Rule 302.

20 On August 19, 2019, 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. 21.) Plaintiff has
23 not filed objections to the findings and recommendations.

24 The court presumes that any findings of fact are correct. See *Orand v. United States*, 602
25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*.
26 See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the
27 magistrate judge are reviewed de novo by both the district court and [the appellate]

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1 court . . ."). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed August 19, 2019, are adopted in full; and
5 2. This action is dismissed without prejudice.

6 DATED: October 1, 2019.

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9 UNITED STATES DISTRICT JUDGE
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