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

NICHOLAS KUSALICH,  
Plaintiff,  
v.  
PEREZ, et al.,  
Defendants.

No. 2:20-CV-1863-DJC-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On July 14, 2023, 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 the time specified therein. 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), 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 July 14, 2023, are adopted in full.
2. Defendant Dudley's motion to dismiss, ECF No. 40, is GRANTED.
3. Plaintiff's claims against Defendant Dudley are DISMISSED without leave to amend.
4. The Clerk of the Court is directed to terminate Dudley as a defendant to this action.
5. This matter is referred back to the assigned Magistrate Judge for further pre-trial proceedings.

IT IS SO ORDERED.

Dated: December 1, 2023

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE