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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

D. BRIAN F. BARTOLOME,

Plaintiff,

No. C 07-4888 PJH

v.

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION**

UNITED STATES, et al.,

Defendants.

_____ /
The court has reviewed the Magistrate Judge 's Report and Recommendation Re: Plaintiff's Application to Proceed In Forma Pauperis. No objections have been filed. The court finds the Report correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, plaintiff's complaint is DISMISSED with prejudice, pursuant to 28 U.S.C. § 1915(e)(2). Plaintiff's corresponding Ex Parte Motion for Appointment of an Attorney is also DENIED.

IT IS SO ORDERED.

Dated: February 1, 2008



PHYLLIS J. HAMILTON
United States District Judge

cc: Wings, Assigned M/J,
counsel of record