

FILED

MAY 23 2002

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

MAY 23 2002

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

REV. DR. MICHAEL A. NEWDOW,

Plaintiff,

Case No. CIV-S-01-0218 LKK GGH PS

vs.

GEORGE W. BUSH, PRESIDENT OF
THE UNITED STATES,

Defendant.

ORDER

On March 26, 2002, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within ten days. Plaintiff filed objections on April 3, 2002, and they were considered by the district judge.

This court reviews de novo those portions of the proposed findings of fact to which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and decides the motions on the applicable law. See Grand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are

1 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.
2 1983).

3 The court has reviewed the applicable legal standards and, good cause appearing,
4 concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.
5 Accordingly, IT IS ORDERED that:

6 1. The Proposed Findings and Recommendations filed March 26, 2002, are
7 ADOPTED; and

8 2. This case is dismissed with prejudice.

9 DATED: 5/21, 2002.

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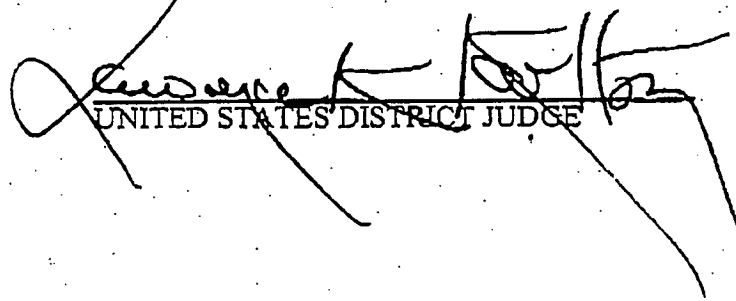
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UNITED STATES DISTRICT JUDGE

United States District Court
for the
Eastern District of California
May 23, 2002

* * CERTIFICATE OF SERVICE * *

2:01-cv-00218

Newdow

v.

Bush

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on May 23, 2002, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

Michael A Newdow SJ/LKK
First Amendmist Church of True Science
PO Box 233345
Sacramento, CA 95823 VC/GGH

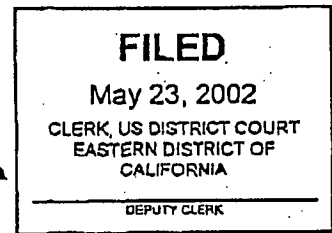
Kristin Sudhoff Door
United States Attorney
501 I Street
Suite 10-100
Sacramento, CA 95814

Jack L. Wagner, Clerk

BY: 

Deputy Clerk

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA



JUDGMENT IN A CIVIL CASE

REV DR MICHAEL A NEWDOW

v. CASE NUMBER: CIV S-01-0218 LKK GGH PS

GEORGE W BUSH

XX – Decision by the Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

THAT JUDGMENT IS HEREBY ENTERED IN ACCORDANCE WITH THE
COURT'S ORDER OF MAY 23, 2002.

Jack L. Wagner,
Clerk of the Court

ENTERED: May 23, 2002

by: *NDDuong*
NDDuong, Deputy Clerk

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United States District Court
for the
Eastern District of California
May 23, 2002

* * CERTIFICATE OF SERVICE * *

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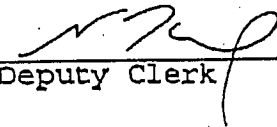
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Jack L. Wagner, Clerk

BY: 
Deputy Clerk