

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

EUGENE DAYTON PRINGLE, JR., pro se,
Mining Claims S & D 1 #154263;
S & D 2 #154262; S & D 3 #154261

Case No. 2:13-cv-00309-SU

Plaintiff,

ORDER

v.

STATE OF OREGON, John Kitzhaber;
ATTORNEY GENERAL, Ellen Rosenblum;
DEPARTMENT OF STATE LANDS, Erik
Metz, OREGON PARKS & RECREATION,
Jan Houck; OREGON DEPARTMENT OF
FISH AND WILDLIFE; UNITED STATES,
Attorney General, Eric Holder; U.S.
DEPARTMENT OF INTERIOR, Ken Salazar,
Brian Bair, Fisheries Biologist, TEAMS
Enterprise; Robert Nykamp, Archaeologist,
TEAMS Enterprise; Tim Holden, Wildlife
Biologist, Above & Beyond Ecosystems
Enterprise; THE FRESH WATER TRUST,
Peter Paquet, RBP, LLC; John and Jane Doe 1
to 999 to be named,

Defendants.

Eugene Dayton Pringle, Jr
c/o P.O. Box 2831
White City, OR 97503

Pro se Plaintiff

Stephanie M. Parent
Jacqueline Sadker Kamins
OREGON DEPARTMENT OF JUSTICE
SPECIAL LITIGATION UNIT
1515 SW Fifth Avenue, Suite 410
Portland, OR 97201

Attorneys for Defendants

HERNANDEZ, District Judge:

Magistrate Judge Patricia Sullivan issued a Findings and Recommendation [38] on December 23, 2013, recommending that Defendants' motion to dismiss [18] be granted and that this action be dismissed without prejudice. Plaintiff filed timely objections to the Magistrate Judge's Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure.

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, as here, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Plaintiff's objections and conclude that these objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record de novo and find no error in the Magistrate Judge's Findings and Recommendation.

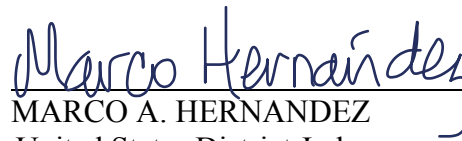
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CONCLUSION

The Court ADOPTS the Magistrate Judge's Findings and Recommendation [38].
Accordingly, Defendants' motion to dismiss [18] is GRANTED and this action is dismissed
without prejudice.

IT IS SO ORDERED.

DATED this 25 day of Feb, 2014.


MARCO A. HERNANDEZ
United States District Judge