IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MORSE E. STEWART,	)	
	)	
Plaintiff,	)	
	)	Civil Case No. 09-688-PK
v.	)	
	)	O R D E R
MORTGAGE ELECTRONIC	)	
REGISTRATION SYSTEMS, INC.; FIRST	)	
HORIZON HOME LOAN	)	
CORPORATION; FIRST HORIZON	)	
NATIONAL CORPORATION FIRST	)	
TENNESSEE BANK; FIRST AMERICAN	)	
TITLE INSURANCE COMPANY,	)	
	)	
Defendants.	)	
_____	)	

Morse E. Stewart
57985 Timber Road
Vernonia, Oregon 97064

Pro Se Plaintiff

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Matthew R. Cleverley
McCarthy and Holthus
600 Winslow Way East #234
Bainbridge Island , Washington 98110

Attorney for Defendants

KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on October 6, 2009. Plaintiff filed timely objections to the Findings and Recommendation, but they were incorrectly docketed in case number Cv 09-687-PK. No response to the objections is necessary for the court to resolve the objections.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Papak.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Papak (#19) dated October 6, 2009 in its entirety.

IT IS HEREBY ORDERED that Plaintiff's objections that were incorrectly docketed in Cv 09-687-PK be filed in this case. Defendants' Motion to Dismiss (#15) is granted. Plaintiff

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may file an amended complaint by December 2, 2009. If plaintiff has not filed an amended complaint by December 2, 2009, the case will be dismissed with prejudice.

DATED this ___2___ day of November, 2009.

_____
GARR M. KING
United States District Judge