

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HIEU TRUONG,

3:10-CV-00558-HU

Plaintiff,

ORDER

v.

CHER YAO CHEN, M.D., of
Oregon State Hospital,

Defendant.

HIEU TRUONG
#11999198
Snake River Correctional Institution
777 Stanton Blvd.
Ontario, OR 97914

Plaintiff, *Pro Se*

JOHN KROGER
Attorney General
JUSTIN E. KIDD
Assistant Attorney General
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1162 Court Street N.E.
Salem, OR 97301
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Attorneys for Defendant

1 - ORDER

BROWN, Judge.

Magistrate Judge Dennis James Hubel issued Supplemental Findings and Recommendation (#60) on March 27, 2012, in which he recommends the Court adhere to its March 8, 2012, Order granting Defendant's Motion (#23) for Summary Judgment and dismissing this matter with prejudice. After several extensions of time Plaintiff filed Objections to the Supplemental Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, 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). See also *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*).

This Court has carefully considered Plaintiff's Objections and the materials submitted with the Objections and concludes they do not provide a basis to modify the Supplemental Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Supplemental

Findings and Recommendation (#60) and, therefore, **ADHERES** to its March 8, 2012, Order granting Defendant's Motion (#23) for Summary Judgment and dismissing this matter with prejudice.

IT IS SO ORDERED.

DATED this 27th day of June, 2012.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge