

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

<p>VANALBERT SIEGRIST,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>J.J. JOHNSON, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No.: 1:10-cv-01976-LJO-SAB (PC)</p> <p>ORDER ADOPTING FINDINGS AND RECOMMENDATION, GRANTING DEFENDANT DUTRA'S MOTION FOR SUMMARY JUDGMENT, DISMISSING DUTRA WITHOUT PREJUDICE, AND DIRECTING DEFENDANT STRINGER TO FILE RESPONSE TO SECOND AMENDED COMPLAINT</p> <p>[ECF Nos. 32, 40, 53]</p>
--	---	---

Plaintiff Vanalbert Siegrist is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On June 4, 2015, the Magistrate Judge filed a Findings and Recommendation which was served on the parties and which contained notice to the parties that objections to the Findings and Recommendation were to be filed within thirty days. No objections were filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed on June 4, 2015, is adopted in full;
2. Defendant Dutra's December 15, 2014, motion for summary judgment is DENIED as MOOT;
3. Defendant Dutra's February 25, 2015, motion for summary judgment is GRANTED;
4. Defendant Dutra is DISMISSED from the action without prejudice; and
5. Within thirty (30) days from the date of service of this order, Defendant Stringer shall file a response to the second amended complaint.

IT IS SO ORDERED.

Dated: July 22, 2015

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE