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

SCOTT DUTRO,

Plaintiff,

vs.

ROBERT HILARIDES, *et. al.*

Defendants.

CASE NO. 1:12-cv-0212 LJO-BAM

**AMENDED ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS ON  
PLAINTIFF'S MOTION TO REMAND**

Plaintiff Scott Dutro ("Plaintiff") filed a Motion to Remand on March 15, 2012. (Doc. 6).<sup>1</sup> On April 12, 2012, Defendants filed their opposition to Plaintiff's motion. (Doc. 9). On April 20, 2012, Plaintiff filed his reply to Defendants' opposition. (Doc. 11, 12).

On May 1, 2012, the Magistrate Judge issued Findings and Recommendations that the Motion be GRANTED and the matter be remanded to the Fresno County Superior Court for further proceedings. (Doc. 16). The Findings and Recommendations were served on all parties and contained notice that any objections were to be filed within fifteen (15) days of the date of service.

On May 15, 2012, Defendants filed their objections to the Magistrate Judge's Findings and

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<sup>1</sup> The matter was referred to United States Magistrate Judge Barbara A. McAuliffe pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

1 Recommendations. (Doc. 17).

2 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de*  
3 *novo* review of the case. Having carefully reviewed the entire file, including Defendants' objections, the  
4 Court finds that the Findings and Recommendations are supported by the record and proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Findings and Recommendations issued May 1, 2012, are ADOPTED IN FULL;
- 7 2. Plaintiff's Motion to Remand is GRANTED;
- 8 3. Plaintiff's request for attorney's fees is DENIED;
- 9 4. This action is REMANDED to the Tulare County Superior Court of California, Visalia  
10 Division, for all further proceedings. This order terminates this action in its entirety.

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IT IS SO ORDERED.

**Dated: May 21, 2012**

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