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

JESSE WASHINGTON,)	Case No.: 1:12-cv-01404-DAD-SAB (PC)
Plaintiff,)	
v.)	ORDER ADOPTING FINDINGS AND
R. SAMUELS,)	RECOMMENDATIONS, DENYING PLAINTIFF'S
Defendant.)	AND DEFENDANT'S MOTIONS FOR
)	SUMMARY JUDGMENT
)	[ECF Nos. 49, 51, 73]
)	

Plaintiff Jesse Washington 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 October 20, 2015, the assigned Magistrate Judge filed a Findings and Recommendations recommending that the parties' cross motions for summary judgment be denied. Those Findings and Recommendations were served on the parties and contained notice that any objections to the Findings and Recommendations were to be filed within thirty days. On November 2, 2015, plaintiff filed objections. Local Rule 304(b).

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, including plaintiff's objection, the court finds the Findings and Recommendations to be supported by the record and by proper legal analysis.

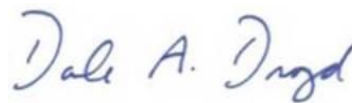
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Accordingly:

1. The Findings and Recommendations, filed on October 20, 2015, are adopted in full;
2. Plaintiff's motion for summary judgment is DENIED;
3. Defendant's motion for summary judgment is DENIED; and
4. The matter is referred back to the Magistrate Judge for further proceedings regarding the schedule and procedures for trial in this civil action.

IT IS SO ORDERED.

Dated: January 5, 2016



DALE A. DROZD
UNITED STATES DISTRICT JUDGE