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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	ANGEL AVALOS,	Case No. 1:15-cv-00369-LJO-JLT (PC)
10	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, GRANTING
11	V.	DEFENDANTS' MOTION TO DISMISS
12	CARPENTER, et al.,	(Docs. 12, 25)
13	Defendants.	
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16	Plaintiff, Angel Avalos, is a state prisoner proceeding <i>pro se</i> and <i>in forma pauperis</i> with a	
17	civil rights action pursuant to 42 U.S.C. § 1983 which he filed on March 9, 2015. The matter was	
18	referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule	
19	302.	
20	On June 23, 2016, the Magistrate Judge filed a Findings and Recommendations to grant	
21	the motion dismiss filed by Defendants Smith and Tyler. The Findings and Recommendations	
22	was served on the parties that same day and contained notice that objections to the Findings and	
23 24	Recommendations were to be filed within twenty-one days. No objections were filed; rather	
24 25	Plaintiff filed a document indicating his agreement to dismissal of Defendants Smith and Tyler	
23 26	and that this action proceed against the sole remaining Defendant, Carpenter. (Doc. 29.)	
20 27	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a	
28	de novo review of this case. Having care	efully reviewed the entire file, the Court finds the
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1	Findings and Recommendations to be supported by the record and by proper analysis.	
2	Accordingly, IT IS HEREBY ORDERED that:	
3	1. The Findings and Recommendations, filed June 23, 2016 (Doc. 25), are adopted	
4	in full;	
5	2. Defendant's Motion to Dismiss, filed on November 3, 2015 (Doc. 12), is	
6	GRANTED;	
7	3. Defendants N. Tyler and S. Smith and all claims against them are DISMISSED	
8	with prejudice; and	
9	4. The action is referred to the Magistrate Judge for further proceedings, on	
10	Plaintiff's claims against the sole remaining Defendant, Carpenter, consistent	
11	with this order.	
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13	IT IS SO ORDERED.	
14	Dated: August 4, 2016 /s/ Lawrence J. O'Neill	
15	UNITED STATES CHIEF DISTRICT JUDGE	
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