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

THOMAS JOHN HEILMAN,

Plaintiff,

No. CIV S-08-2788 KJM EFB P

vs.

MICHAEL VOJKUFKA,

Defendant.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 17, 2011, the magistrate judge filed findings and recommendations addressing defendant’s pending motion for summary judgment. The findings and recommendations were served on all parties and contained notice to all parties that any objections were to be filed within fourteen days from the date the findings and recommendations were served. Plaintiff has filed a document identified as objections to the findings and recommendations. Concurrent with the findings and recommendations, the magistrate judge issued orders. Plaintiff also filed objections to the orders, which the court treats as a motion to reconsider.

1 Under Local Rule 303(f), a magistrate judge's orders shall be upheld unless
2 "clearly erroneous or contrary to law." Upon review of the file, the court finds that the
3 magistrate judge's rulings are not clearly erroneous or contrary to law.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule
5 304, this court also has conducted a *de novo* review of the case in light of the defendant's
6 pending motion for summary judgment. Having carefully reviewed the file, the court finds the
7 findings and recommendations to be supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The findings and recommendations filed February 17, 2011, are adopted in
10 full;
- 11 2. Defendant's motion for summary judgment (Docket No. 39) is denied;
- 12 3. Plaintiff's motion for a determination that defendant's declaration was
13 submitted in bad faith (Docket No. 49) is denied; and
- 14 4. Plaintiff's motion for reconsideration is denied.

15 SO ORDERED.

16 DATED: September 1, 2011.

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UNITED STATES DISTRICT JUDGE