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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	DWAYNE GILES,	No. 2:11-cv-1825-WBS-EFB P
12	Plaintiff,	
13	V.	ORDER
14	FELKER, et al.,	
15	Defendants.	
16		
17	Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief	
18	under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to	
19	28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On February 26, 2016, the magistrate judge filed findings and recommendations herein	
21	which were served on all parties and which contained notice to all parties that any objections to	
22	the findings and recommendations were to be filed within fourteen days. Neither party timely	
23	filed objections to the findings and recommendations. Plaintiff's March 10, 2016 request for a	
24	lengthy extension of time to file objections, ECF No. 133, was denied, ECF No. 134, for failure to	
25	show good cause for the extension.	
26	On March 25, 2016, this Court adopted the findings and recommendations, granted	
27	defendants' motion for summary judgment and dismissed plaintiff's complaint without prejudice	
28	for failure to exhaust administrative remedies.	
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On March 28, 2016, plaintiff filed objections to the findings and recommendations and a motion for reconsideration of the order denying his request for an extension of time.

In an abundance of caution, the Court will vacate the March 25, 2016 order adopting the
findings and recommendations and reconsider them in light of plaintiff's objections. <u>See</u> Fed. R.
Civ. P. 59(e) and 60(b).

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
court has conducted a <u>de novo</u> review of this case, including plaintiff's objections to the findings
and recommendations of the magistrate judge. Having carefully reviewed the entire file, the court
finds the findings and recommendations to be supported by the record and by proper analysis.

10 Accordingly, IT IS HEREBY ORDERED that that the order entered on March 25, 2016 11 (ECF No. 135) adopting in full the findings and recommendations, granting defendants' motion 12 for summary judgment and dismissing plaintiff's complaint without prejudice for failure to 13 exhaust administrative remedies is CONFIRMED. The July 20, 2015 motion for summary 14 judgment filed by defendants Felker and Wong (ECF No. 101) and joined by defendants Roche 15 and Nachiondo is granted; plaintiff's complaint is dismissed without prejudice for failure to 16 exhaust administrative remedies; defendants' motions for summary judgment on the merits (ECF 17 Nos. 100, 103) are denied without prejudice as moot; and the Clerk is directed to terminate ECF 18 No. 137 and to close the case.

- 19 Dated: April 1, 2016
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WILLIAM B. SHUBB UNITED STATES DISTRICT JUDGE