

1 On March 28, 2016, plaintiff filed objections to the findings and recommendations and a
2 motion for reconsideration of the order denying his request for an extension of time.

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

6 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
7 court has conducted a de novo review of this case, including plaintiff's objections to the findings
8 and recommendations of the magistrate judge. Having carefully reviewed the entire file, the court
9 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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21 WILLIAM B. SHUBB
22 UNITED STATES DISTRICT JUDGE
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