UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

GORDON H. FLATTUM,

Plaintiff,

v.

STATE OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS, et. al.,

Defendants.

No. 2:11-cv-2711 KJM GGH PS

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se and in forma pauperis. By order of April 23, 2014, the district court adopted this court's findings and recommendations with limited modifications and ordered defendant Bowers to answer the second amended complaint. All other defendants were dismissed. Bowers filed an appeal, and the Ninth Circuit Court of Appeals on June 22, 2016 reversed and remanded, holding that defendant Bowers was entitled to absolute immunity in signing and publishing a Statement of Issues, and with respect to additional allegations that plaintiff had failed to "allege facts as to Bowers sufficient to state any plausible claims." (ECF No. 44 at 2.)

Accordingly, IT IS RECOMMENDED that:

1. Defendant Bowers be dismissed from this action; and

2. This action be closed.

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These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(l). Within fourteen (14) days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections shall be served and filed within seven (7) days after service of the objections. The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: July 6, 2016

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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