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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANNY R. GARCIA,  
Plaintiff,  
v.  
C/O HEATH, et al.,  
Defendants.

No. 2:13-cv-1952 JAM AC P

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 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 17, 2016, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 17, 2016, are adopted in full;
2. The motion for summary judgment filed by defendants Bradley, Heath, Perez, Torres and Vallery, ECF No. 56, is granted;
3. Defendants Bradley, Heath, Perez, Torres and Vallery are dismissed from this action due to plaintiff's failure to exhaust his administrative remedies against these defendants; and
4. This action shall proceed only against defendant Mendoza on plaintiff's retaliation claims.

DATED: December 27, 2016

/s/ John A. Mendez  
UNITED STATES DISTRICT COURT JUDGE