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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TYRONE JONES,

Plaintiff,

v.

PLEASANT VALLEY
STATE PRISON, et al.,

Defendants.

CASE NO. 1:01-cv-05287-AWI-SMS PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DENYING
DEFENDANTS' MOTION TO DISMISS FOR
FAILURE TO EXHAUST

(Docs. 142 and 149)

Plaintiff Tyrone Jones is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 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 May 28, 2010, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on the parties and which contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty days. More than thirty days have passed and no objections were filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), 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.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The Findings and Recommendations, filed May 28, 2010, is adopted in full;

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- 2. Defendants' [Motion to Dismiss](#), filed February 10, 2010, is denied; and
- 3. This action is referred to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Dated: July 11, 2010



CHIEF UNITED STATES DISTRICT JUDGE