

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF CALIFORNIA

3
4 BARRY S. JAMESON,

1:03-cv-05593-LJO-MJS (PC)

5 Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATION FOR DENIAL OF
DEFENDANTS' MOTION TO DISMISS

6 v.

7 SCOTT RAWERS, et al.,

(ECF No. 81)

8 Defendants.

9
10 _____ /

11 Plaintiff Barry S. Jameson ("Plaintiff") is a state prisoner proceeding pro se in a civil rights
12 action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge
13 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

14 On November 22, 2011, the Magistrate Judge filed a Findings and Recommendation
15 recommending that Defendants' Motion to Dismiss be denied. (ECF No. 81.) The parties have
16 not filed any objections to the Findings and Recommendation.

17 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 305, this
18 Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
19 Court finds the Findings and Recommendations to be supported by the record and by proper
20 analysis.

21 Accordingly, IT IS HEREBY ORDERED that:

- 22 1. The Findings and Recommendation, filed November 22, 2011, is adopted in full;
- 23 and
- 24 2. Defendants' Motion to Dismiss (ECF No. 74) is DENIED.

25
26 IT IS SO ORDERED.

27 **Dated: January 31, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE