

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN VLASICH,

1:05-cv-01615-LJO-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 157.)

vs.

DR. TIMOTHY FISHBACK, et al.,

ORDER GRANTING DEFENDANT
FISHBACK'S MOTION FOR
SUMMARY JUDGMENT
(Docs. 124, 125.)

Defendants.

_____/

Steven Vlasich, ("plaintiff") is a state prisoner proceeding pro se 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 August 31, 2010, [findings and recommendations](#) were entered, recommending that the motion for summary judgment filed on January 25, 2010 by defendant Dr. Timothy Fishback be granted. (Doc. 157.) On October 18, 2010, plaintiff filed [objections](#) to the findings and recommendations. (Doc. 162.)

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on August 31, 2010, are ADOPTED in full;
2. Defendant Dr. Timothy Fishback's motion for summary judgment, filed on January 25, 2010, is GRANTED;
3. Summary judgment is GRANTED in favor of defendant Dr. Timothy Fishback;
4. This action now proceeds only against defendants Dr. Jesus Juarez and Dr. Simon Villa; and
5. The Clerk of Court is directed to reflect on the court's docket the termination of defendant Fishback from this action.

IT IS SO ORDERED.

Dated: October 28, 2010

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