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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOHN BAGENT,

Plaintiff,

v.

RICHARD PIERCE, et al.,

Defendants.

CASE NO. 1:06-cv-01842-LJO-SMS PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND GRANTING
DEFENDANTS MIMS AND JOHNSON'S
MOTION FOR SUMMARY JUDGMENT

(Docs. 54 and 75)

Plaintiff John Bagent, a civil detainee proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on December 20, 2006. This action is proceeding on Plaintiff's Amended Complaint, filed May 15, 2007, against Defendants Mims, Johnson, and Transcor America, LLC. 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 July 1, 2010, the Magistrate Judge filed a [Findings and Recommendations](#) recommending Defendants Mims and Johnson's [Motion for Summary Judgment](#) be granted. After obtaining an extension of time, Plaintiff filed timely a timely [Objection](#) on August 3, 2010, and Defendants Mimms and Johnson filed a [Response](#) on August 10, 2010. Local Rule 304(a),(d).

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the 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 July 1, 2010, is adopted in full; and

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2. Defendants Mims and Johnson’s Motion for Summary Judgment, filed February 5, 2010, is GRANTED based on qualified immunity.¹

IT IS SO ORDERED.

Dated: August 11, 2010

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

¹ Remaining Defendant Transcor America, LLC’s Motion for Summary Judgment is under submission. Judgment for Defendants Mims and Johnson will be entered at the conclusion of this action in its entirety. Fed. R. Civ. P. 54(b).