IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF CALIFORNIA

DANIEL PROVENCIO, JR., personally and as successor in interest to DANIEL PROVENCIO, deceased, by his guardian ad litem, Maria Lucero, et al., Plaintiffs, v. PATRICIA L. VAZQUEZ, et al., Defendants.	NO. 1:07-CV-00069 AWI JLT ORDER ADOPTING FINDINGS AND RECOMMENDATIONS IN FULL GRANTING IN PART AND DENYING IN PART MOTION FOR SUMMARY JUDGMENT FILED BY DEFENDANTS VAZQUEZ, PALMER, HICKS, DRUGICH AND PAREDES [Document *#173, 202*]

Plaintiffs filed this civil rights action seeing relief under 42 U.S.C. § 1983. On April 15, 2010, Defendants Vazquez, Palmer, Lawless, Hicks, Drugich, Short, Ramos and Paredes filed a motion for summary judgment[1]. On May 13, 2010, the court referred the matter to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B), and Local Rule 302.

On June 16, 2010, the Magistrate Judge filed a Findings and Recommendations that recommended granting the motion for summary judgment as to defendants Vazquez, Lawless, Hicks, Drugich, Short, Ramos and Paredes, but denying the motion for summary judgment as to defendant Palmer. The parties were granted 14 days from June 16, 2010, to file objections to the

[1]The motion is styled as brought by Defendants Vazquez, Palmer, Hicks, Drugich, Short, Ramos, Lawless and Paredes. However, on March 1, 2010 (Doc. # 162), summary judgment was granted in favor of Defendants Ramos, Lawless and Short.

Recommendation. The Findings and Recommendations were served on Plaintiffs by mail on June 16, 2010. Plaintiffs filed objections on July 5, 2010.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Britt v. Simi Valley United School Dist., 708 F.2d 452 (9th Cir. 1983), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court finds that the Findings and Recommendations are supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings/report and recommendations filed June 16, 2010, are ADOPTED IN FULL;
2. Defendants Vazquez, Hicks, Drugich, and Paredes are granted summary judgment; and
3. Defendant Palmer's motion for summary judgment is DENIED.

IT IS SO ORDERED.

Dated: July 21, 2010

CHIEF UNITED STATES DISTRICT JUDGE