

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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIE LEE CARPENTER,
Plaintiff,

v.

W. J. SULLIVAN, et al.,
Defendants.

CASE NO.: 1:07-cv-00114-AWI-GBC (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

ORDER DISMISSING CERTAIN
DEFENDANTS

/ (Docs. 74, 95)

Plaintiff Willie Lee Carpenter (“Plaintiff”) is a state prisoner proceeding 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 July 16, 2010, Defendants Sullivan, Evans and Carrasco filed a motion for judgment on the pleadings under Rule 12(c) of the Federal Rules of Civil Procedure. (Doc. 74). On January 3, 2011, the Magistrate Judge filed a Findings and Recommendations herein which was served on the Plaintiff and which contained notice to the Plaintiff that any objections to the Findings and Recommendations were to be filed within thirty days. On February 14, 2011, Plaintiff motioned for a thirty-day extension to file objections, however, Plaintiff has not submitted objections to the Findings and Recommendations.

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

1 Recommendations to be supported by the record and by proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The Findings and Recommendations, filed January 3, 2011, is adopted in full;
- 4 2. Defendants Sullivan, Evans and Carrasco's 12(c) motion to dismiss filed July 16,
5 2010, is GRANTED; and
- 6 3. Defendants Sullivan, Evans and Carrasco are dismissed from this action.

7 IT IS SO ORDERED.

8 Dated: March 28, 2011


9 CHIEF UNITED STATES DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28