

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

THOMAS CAVNER,

Plaintiff,

v.

ERICA WEINSTEIN, et al.,

Defendants.

CASE NO. 1:07-cv-00184-LJO-GSA PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
DEFENDANTS' MOTION TO DISMISS

(Docs. 19, 20, 21, and 28)

ORDER DIRECTING DEFENDANTS TO FILE
ANSWER WITHIN THIRTY DAYS

Plaintiff Thomas Cavner is a civil detainee proceeding pro se and 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 72-302.

On January 15, 2009, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on the parties and which contained notice to the parties that any objections were to be filed within fifteen days. The parties did not file objections.

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

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed January 15, 2009, is adopted in full;
2. Defendants' motion to dismiss, filed August 25, 2008, is DENIED; and
3. Defendants shall file an answer within thirty days from the date of service of this order.

IT IS SO ORDERED.

Dated: February 18, 2009

/s/ Lawrence J. O'Neill

UNITED STATES DISTRICT JUDGE

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