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

GARY ANDRE LACY,

1:07-cv-00381-LJO-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS  
(Doc. 128.)

vs.

H. TYSON, et al.,

ORDER DENYING PLAINTIFF'S  
MOTION FOR SUBSTITUTION  
OF PARTIES  
(Doc. 92.)

Defendants.

ORDER DISMISSING DEFENDANT  
R. REYNA FROM THIS ACTION,  
WITH PREJUDICE

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Gary Andre Lacy ("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 September 20, 2012, findings and recommendations were entered, recommending that Plaintiff's motion for substitution of parties, filed on November 30, 2011, be denied, and defendant R. Reyna be dismissed from this action, with prejudice. On October 25, 2012, Plaintiff filed objections to the findings and recommendations.

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,

1 including Plaintiff's objections, the Court finds the findings and recommendations to be supported by  
2 the record and proper analysis.

3 Accordingly, THE COURT HEREBY ORDERS that:

- 4 1. The Findings and Recommendations issued by the Magistrate Judge on September 20,  
5 2012, are ADOPTED in full;
- 6 2. Plaintiff's motion for substitution of parties, filed on November 30, 2011, is DENIED;
- 7 3. Defendant R. Reyna is DISMISSED from this action, with prejudice; and
- 8 4. The Clerk is DIRECTED to reflect the dismissal of defendant R. Reyna on the Court's  
9 docket.

10 IT IS SO ORDERED.

11 **Dated: November 4, 2012**

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

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