

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

GARY H. BRUSH,

Plaintiff,

v.

FARBER-SZEKRENYI, et al.,

Defendants.

CASE NO. 1:07-cv-01009-LJO-DLB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
DEFENDANT WATTS FROM ACTION
WITHOUT PREJUDICE

(Doc.85)

_____ /

Plaintiff Gary H. Brush (“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 72-302.

On October 21, 2009, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on plaintiff and which contained notice to the parties that any objection to the Findings and Recommendations was to be filed within thirty days. Neither party filed any 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.

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

Accordingly, IT IS HEREBY ORDERED that:

1. The [Findings and Recommendations](#), filed October 21, 2009, is adopted in full; and
2. Defendants Watts is dismissed from this action without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

IT IS SO ORDERED.

Dated: November 30, 2009

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