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

DAVID MADDOX,	)	NO. 1:07 cv 01227 LJO GSA PC
	)	
Plaintiff,	)	ORDER RE: FINDINGS & RECOMMENDATIONS
	)	
v.	)	
	)	Document # 36
SGT. LADD, et al.,	)	
	)	
Defendants.	)	

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Plaintiff is a state prisoner proceeding pro se in this civil rights action. 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 21, 2011, [findings and recommendations](#) were entered, recommending the Defendants’ motion for summary judgment be granted as to Defendants Vang and Ladd, and denied as to Defendant Battle. Plaintiff was provided an opportunity to file objections. On October 6, 2011, 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 305, 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 proper analysis.

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on July 21, 2011,

1 are adopted in full; and

2           2. Defendants' motion for summary judgment is granted in favor of Defendants Ladd and  
3 Vang, and against Plaintiff.

4           3. Defendants' motion for summary judgment is denied as to Defendant Battle. This  
5 action is referred to the Magistrate Judge for pretrial proceedings on Plaintiff's claim of  
6 excessive force against Defendant Battle.

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8 IT IS SO ORDERED.

9 **Dated: October 7, 2011**

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

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