

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

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

ESS'NN A. AUBERT,)	NO. 1:07 cv 01629 LJO GSA PC
)	
Plaintiff,)	ORDER RE: FINDINGS & RECOMMENDATIONS
)	
v.)	Document # 53
)	
KEVIN ELIJAH, et al.,)	
)	
Defendants.)	

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 May 11, 2011, [findings and recommendations](#) were entered, recommending that Defendant Elijah's motion for summary judgment be denied. The parties were provided an opportunity to file objections within thirty days. No objections to the findings and recommendations have been filed.

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 May 11, 2011,

1 are adopted in full; and

2 2. Defendant Elijah's motion for summary judgment is denied.

3

4

5 IT IS SO ORDERED.

6 **Dated:** September 14, 2011

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

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28