

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOWELL FINLEY,

CASE NO. 1:08-cv-00075-LJO-DLB PC

Plaintiff,

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

v.

T. GONZALES, III, et al.,

(Docs. 36, 58)

Defendants.

Plaintiff Jowell Finley ("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 August 20, 2009, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on the parties and which contained notice that any objection to the Findings and Recommendations was to be filed within thirty days. More than thirty days have passed, and no objections were filed.

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 August 20, 2009, is adopted in full; and
2. Defendants' [motion to dismiss](#), filed on May 20, 2009, is denied.

IT IS SO ORDERED.

Dated: November 13, 2009

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