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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JEAN-PIERRE K. THOMAS,

Plaintiff,

v.

BONILLA, et al.,

Defendants.

CASE NO. 1:08-CV-00689-LJO-DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF’S MOTION FOR SUMMARY
JUDGMENT WITHOUT PREJUDICE

(DOC. 86)

_____ /

Plaintiff Jean-Pierre K. Thomas (“Plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants Bonilla and Garcia for violation of the Eighth Amendment. On November 4, 2010, Plaintiff filed a [motion](#) for summary judgment against Defendant Bonilla. Doc. 47. 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 9, 2011, the Magistrate Judge filed a [Findings and Recommendations](#) which was served on the parties and which contained notice to the parties that any objection to the Findings and Recommendations was to be filed within fourteen days. Doc. 86. Plaintiff filed an [Objection](#) to the Findings and Recommendations on September 21, 2011. Doc. 88.

In accordance with the provisions of 28 U.S.C. § 636(b)(1), 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.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed September 9, 2011, is adopted in full;
2. Plaintiff's motion for summary judgment, filed November 4, 2010, is denied without prejudice for failure to comply with Local Rule 260(a) and Rule 56(c) of the Federal Rules of Civil Procedure; and
3. The dispositive motion deadline for all parties is March 22, 2012.

IT IS SO ORDERED.

Dated: September 26, 2011

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