GEORGE H. ROBINSON, Plaintiff, v. D. G. ADAMS, et al., Defendants.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

Case No.: 1:08-cv-01380-AWI-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
PLAINTIFF'S MOTION FOR SANCTIONS
BASED ON DEFENDANTS' FAILURE TO FILE A
TIMELY OPPOSITION TO PLAINTIFF'S
MOTION TO COMPEL

(ECF Nos. 179, 184)

Plaintiff George H. Robinson ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's complaint against Defendants David, Miranda, Melo, Garcia, Mendoza and Masiel for use of excessive force in violation of the Eighth Amendment; against Defendants Adams and Ruiz for failure to protect in violation of the Eighth Amendment; and against Defendants Martinez, David, Miranda and Garcia for assault and battery in violation of state law.

On September 13, 2013, the Magistrate Judge issued Findings and Recommendations that Plaintiff's motion for sanctions based on Defendants' failure to file a timely opposition to Plaintiff's motion to compel be denied. The findings and recommendations were served on the parties and

contained notice that any objections must be filed within fourteen days after service. (ECF No. 184.) 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, issued on September 13, 2013, are adopted in full; and 2. Plaintiff's motion for sanctions based upon Defendants' failure to file a timely opposition to Plaintiff's motion to compel is DENIED. IT IS SO ORDERED. of alin Dated: October 22, 2013 SENIOR DISTRICT JUDGE