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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANGEL H. HERNANDEZ,

CASE NO. 1:09-cv-00268-LJO-SKO PC

Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DENYING
DEFENDANT’S MOTION TO DISMISS, AND
REQUIRING DEFENDANT TO FILE A
RESPONSE TO PLAINTIFF’S AMENDED
COMPLAINT WITHIN THIRTY DAYS

v.

CHRIS JORDAN, et al.,

Defendants.

(Docs. 19 and 37)

_____ /

Plaintiff Angel H. Hernandez is a prisoner proceeding pro se and in forma pauperis 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 302.

On June 28, 2011, the Magistrate Judge addressed Defendant Costner’s motion to dismiss and recommended that it be denied in its entirety. Objections were due within twenty days and neither party objected.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the 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 Court adopts the Findings and Recommendations, filed on June 28, 2011, in full;
 - 2. Defendant Costner’s motion to dismiss, filed on December 16, 2010, is DENIED;
- and

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