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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAEKUBIAN A. BARROW,

Plaintiff,

v.

WARDEN CALIFORNIA MEDICAL
FACILITY, CORCORAN, et al.,

Defendants.

Case No. 1:10-cv-00154-LJO-MJS (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS DENYING
DEFENDANT MARTINEZ'S MOTION FOR
SUMMARY JUDGMENT**

(ECF No. 84)

CASE TO REMAIN OPEN

Plaintiff Raekubian A. Barrow, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on February 1, 2010 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 of the United States District Court for the Eastern District of California.

On October 17, 2013, the Magistrate Judge issued findings and recommendations that Defendant Martinez's April 30, 2013 motion for summary judgment (ECF No. 74) be denied, and that this case remain open. (ECF No. 84.) Any objection to the findings and recommendations was due by due by November 4, 2013. (Id.) The November 4, 2013 deadline passed without any party filing objections or seeking further extension of time to

1 do so.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has
3 conducted a de novo review of this case. Having carefully reviewed the entire file, the Court
4 finds the findings and recommendations to be supported by the record and by proper
5 analysis.

6 Accordingly, it is HEREBY ORDERED that:

- 7 1. The Court adopts the findings and recommendations filed on October 17,
8 2013 (ECF No. 84) in full,
- 9 2. Defendant Martinez's April 30, 2013 motion for summary judgment (ECF No.
10 74) is DENIED, and
- 11 3. This case shall remain open.

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22 IT IS SO ORDERED.

23 Dated: November 19, 2013

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