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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ALVARO QUEZADA,)	Case No.: 1:10-cv-01402-AWI-SAB (PC)
)	
Plaintiff,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS, DENYING
v.)	DEFENDANTS' MOTION FOR SUMMARY
)	JUDGMENT AS TO LINDSEY AND GONZALEZ
R. LINDSEY, et al.,)	AND GRANTING AS TO DEFENDANT PATEL
)	
Defendants.)	[ECF Nos. 50, 67]
)	
)	

Plaintiff Alvaro Quezada is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On February 6, 2015, the Magistrate Judge issued Findings and Recommendations regarding Defendants' motion for summary judgment relating to exhaustion of the administrative remedies. (ECF No. 67.) The Findings and Recommendations were served on the parties and contained notice to the parties that objections were to be filed within thirty days. Plaintiff filed objections on March 2, 2015, and Defendants filed a response on March 16, 2015. Local Rule 304(b), (d).

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, including Plaintiff's objections, 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 on February 6, 2015, is adopted in full; and
2. Defendants' motion for summary judgment is DENIED as to Defendants Lindsey and Gonzalez and GRANTED as to Defendant Patel;
3. Defendant Patel is dismissed from the action, without prejudice, for failure to exhaust the administrative remedies; and
4. The matter is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Dated: March 18, 2015



SENIOR DISTRICT JUDGE