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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

NATHAN SMITH,

Plaintiff,

v.

H.A. RIOS, JR., et al.,

Defendants.

CASE NO. 1:10-cv-1554-AWI-MJS (PC)

ORDER ADOPTION FINDINGS AND  
RECOMMENDATION AND DENYING  
PLAINTIFF’S MOTION FOR PRELIMINARY  
INJUNCTION AND MOTION FOR SUMMARY  
JUDGMENT

(ECF Nos. 17 & 23)

Plaintiff Nathan Smith, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S.Ct. 1999 (1971). 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 November 1, 2010, the Magistrate Judge filed a Findings and Recommendation recommending that Plaintiff’s Motion for Preliminary Injunction and Motion for Summary Judgment be denied. (ECF No. 23.) Plaintiff filed objections to the Findings and Recommendation.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 305, 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 Recommendation, filed November 1, 2010, is adopted in full;
2. Plaintiff’s Motion for Preliminary Injunction is DENIED;
3. Plaintiff’s Motion for Summary Judgment is DENIED. IT IS SO ORDERED.

1 **Dated: December 10, 2010**

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE

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