1 2

•

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WILLIAM BRADLEY,

CASE NO. 1:10-cv-1618-LJO-MJS (PC)

Plaintiff,

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DENYING PLAINTIFF'S MOTION FOR LIBRARY ACCESS

J. VILLA, et al.,

(ECF No. 7 & 9)

Defendants.

/ AMENDED COMPLAINT DUE 12/22/2010

Plaintiff William Bradley, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 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 October 7, 2010, the Magistrate entered Findings and Recommendation recommending that Plaintiff's Motion for Law Library Access be denied. (ECF No. 8.) On October 8, 2010, before Plaintiff had been served with the Magistrate Judge's Findings and Recommendation, Plaintiff filed a second request for access to the law library. (ECF No. 9.) Plaintiff filed objections to the Findings and Recommendation on October 14, 2010. (ECF No. 10.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a <u>de novo</u> 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. The Court also finds that the analysis in the Findings and Recommendation is applicable to Plaintiff's second motion for access to the law library.

Accordingly, IT IS HEREBY ORDERED that the Findings and Recommendations, filed

October 7, 2010 is ADOPTED in full. Plaintiff's Motions for Law Library Access (ECF Nos. 7 & 9) are DENIED. In his Objections to the Findings and Recommendation, Plaintiff mentioned a desire to file an amended complaint. The Court construes this as a Motion for Leave to File an Amended Complaint; such Motion is GRANTED. Plaintiff's Amended Complaint shall be filed not later than December 22, 2010. If Plaintiff did not intend to request leave to file an amended complaint, he should notify the Court and it will move forward with screening his original complaint. IT IS SO ORDERED. **November 9, 2010** /s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE