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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RICHARD PAREDEZ,

Plaintiff,

v.

JAMES YATES, et al.,

Defendants.

CASE NO. 1:10-CV-01672-AWI-DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

(DOC. 12)

_____ /

Plaintiff Richard Paredez (“Plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On May 31, 2011, Plaintiff filed his [first amended complaint](#). Doc. 11. 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 4, 2011, the Magistrate Judge filed a [Findings and Recommendations](#) which was served on Plaintiff and which contained notice to Plaintiff that any objection to the Findings and Recommendations was to be filed within twenty-one days. Doc. 12. Plaintiff filed an [Objection](#) to the Findings and Recommendations on October 20, 2011. Doc. 13.

In accordance with the provisions of 28 U.S.C. § 636(b)(1), 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. The arguments raised in the objections are addressed in the Findings and Recommendations.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendations, filed October 4, 2011, is adopted in full;
- 3 2. This action proceeds against Defendant Ramirez for violation of the First
4 Amendment by denying Plaintiff the right to file an inmate grievance;
- 5 3. Plaintiff's claims against Defendants Yates, Hernandez, Phealon, and John Doe are
6 dismissed for failure to state a claim upon which relief may be granted;
- 7 4. Defendants Yates, Hernandez, Phealon, and John Doe are dismissed from this action;
- 8 5. This action is referred to the Magistrate Judge.

9
10 IT IS SO ORDERED.

11 Dated: February 13, 2012


12 CHIEF UNITED STATES DISTRICT JUDGE