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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDREW R. LOPEZ,  
Plaintiff,  
v.  
MATHEW CATE, et al.,  
Defendants.

No. 1:10-cv-01773-DAD-SKO

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND REFERRING  
BACK TO MAGISTRATE JUDGE FOR  
FURTHER PROCEEDINGS

(Doc. No. 201)

Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed 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.

On November 8, 2016, the assigned magistrate judge issued findings and recommendations following a long-delayed evidentiary hearing on the issue of plaintiff's exhaustion of administrative remedies prior to filing suit as required. (Doc. No. 201.) These findings and recommendations, which concluded plaintiff had established through credible evidence that he exhausted his available administrative remedies, were served on the parties and contained notice that objections thereto were to be filed within twenty-one days. No objections were filed, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the undersigned has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the

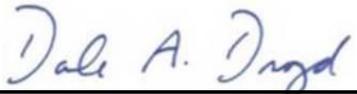
1 undersigned concludes the findings and recommendations are supported by the record and by  
2 proper analysis.

3 Accordingly,

- 4 1. The findings and recommendations issued November 8, 2016 (Doc. No. 201) are adopted  
5 in full; and
- 6 2. The matter is referred back to the magistrate judge for further proceedings.

7 IT IS SO ORDERED.

8 Dated: January 30, 2017

  
9 UNITED STATES DISTRICT JUDGE

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