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

KAJAUNA KENYATTA IRVIN,)	Case No.: 1:10-cv-01940-AWI-SAB (PC)
Plaintiff,)	
v.)	ORDER ADOPTING FINDINGS AND
JAMES A YATES, et al.,)	RECOMMENDATIONS, DISMISSING
Defendants.)	DEFENDANT LANTZ, AND GRANTING
)	PLAINTIFF NINETY DAYS FROM THE DATE
)	OF SERVICE OF THIS ORDER TO FILE A
)	PROPER MOTION FOR SUBSTITUTION
)	[ECF Nos. 65, 94, 99]
)	

Plaintiff Kajauna Kenyatta Irvin is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act (“RLUIPA”). The case was removed from state court on October 14, 2010.

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 May 8, 2015, the Magistrate Judge filed a Findings and Recommendation that was served on the parties and contained notice that objections were to be filed within thirty days. Plaintiff filed objections on June 8, 2015.

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, the Court finds the Findings and Recommendation to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation, filed on May 8, 2015, is adopted in full;
2. Defendant Lantz is DISMISSED from the action, without prejudice; and
3. Within ninety (90) from the date of service of this order, Plaintiff may file a proper motion for substitution under Rule 25 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated: July 24, 2015



SENIOR DISTRICT JUDGE