

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LARRY CORTINAS,

Plaintiff,

V.

MORA,

Defendant.

Case No. 1:10-cv-02270 LJO DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATION AND GRANTING
MOTION TO SET ASIDE DEFAULT
JUDGMENT
[ECF Nos. 34, 40]

ORDER DIRECTING DEFENDANT MORA
TO FILE AN ANSWER TO THE FIRST
AMENDED COMPLAINT

Plaintiff Larry William Cortinas, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on December 7, 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 January 16, 2015, the Magistrate Judge issued Findings and Recommendations that recommended Defendant Mora's motion to set aside default judgment be GRANTED, and Defendant Mora be DIRECTED to file an answer. The Findings and Recommendations were served on all parties and contained notice that any objections were to be filed within thirty (30) days. Over thirty days have passed and no party has filed objections.

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

1 Findings and Recommendations are supported by the record and by proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The Findings and Recommendations, filed January 16, 2015, are ADOPTED in full;
- 4 2. Defendant Mora's motion to set aside default judgment is GRANTED; and
- 5 3. Defendant Mora is DIRECTED to file an answer to the First Amended Complaint within
- 6 thirty (30) days of the date of service of this Order.

7 IT IS SO ORDERED.

8 Dated: February 23, 2015

9 /s/ Lawrence J. O'Neill
10 UNITED STATES DISTRICT JUDGE