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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAUL ERNEST ALONSO-PRIETO,

Plaintiff,

v.

B. PIERCE, et al.,

Defendants.

Case No. 1:11-cv-00024-AWI-MJS (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS DENYING
DEFENDANT'S MOTION TO DISMISS
ACTION FOR FAILURE TO EXHAUST
ADMINISTRATIVE REMEDIES**

(ECF Nos. 32, 53)

CASE TO REMAIN OPEN

Plaintiff Raul Ernest Alonso-Prieto is a former federal prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983 and Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern District of California.

On January 22, 2014, the Magistrate Judge issued Findings and Recommendations that Defendant Pierce's Motion to Dismiss filed June 14, 2013 (ECF No. 32) should be DENIED. (ECF No. 53.) Any objection to the Findings and Recommendations was due by

1 February 10, 2014. (Id.) The February 10, 2014 deadline passed without any party filing
2 objections or seeking extension of time to do so.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has
4 conducted a de novo review of this case. Having carefully reviewed the entire file, the Court
5 finds the Findings and Recommendations to be supported by the record and by proper
6 analysis.

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. The Court adopts the Findings and Recommendations filed on January 22,
9 2014 (ECF No. 53) in full,
- 10 2. Defendant Pierce's Motion to Dismiss filed June 14, 2013 (ECF No. 32) is
11 DENIED, and
- 12 3. The case shall remain open.

13 IT IS SO ORDERED.

14 Dated: February 21, 2014

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17 SENIOR DISTRICT JUDGE
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