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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	MICHANN MEADOWS,	No. 1:11-cv-00257-DAD-JLT (PC)
12	Plaintiff,	
13	V.	ORDER ADOPTING FINDINGS AND RECOMMENDATION AND DENYING
14	REEVES, M.D.,	MOTION FOR SUMMARY JUDGMENT
15	Defendants.	(Doc. Nos. 74, 83)
16		
17	Plaintiff, Michann Meadows, is a state prisoner proceeding pro se and in forma pauperis	
18	in this civil rights action under 42 U.S.C. § 1983. Plaintiff commenced this action by filing her	
19	original complaint in this court on February 14, 2011. (Doc. No. 1.) The matter was referred to a	
20	United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On	
21	October 1, 2012, plaintiff filed her Second Amended Complaint, now the operative complaint,	
22	claiming that defendant Reeves sexually assaulted her during a gynecological examination on	
23	July 22, 2009, in violation of the Eighth Amendment. (Doc. No. 28.)	
24	On May 12, 2015, defendant Reeves filed a motion for summary judgment asserting that	
25	rather than assaulting plaintiff, he was merely attempting to perform an endometrial biopsy.	
26	(Doc. No. 74.) On December 30, 2015, the assigned magistrate judge issued Findings and	
27	Recommendations recommending that defendant's motion for summary judgment be denied	

because the evidence presented by plaintiff in opposition to defendant's motion for summary

judgment, including plaintiff's own declaration, established that a triable issue of material fact exists. (Doc. No. 83.) Those Findings and Recommendations were served on the parties and contained notice that objections were to be filed within thirty days. (*Id.*) Despite lapse of more than the allowed time, no objections were filed. *See* Local Rule 304(b), (d).

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 Recommendations to be supported by the record and by proper analysis.

Accordingly, based upon the foregoing:

- 1. The Findings and Recommendations (Doc. No. 83), filed on December 30, 2015, are ADOPTED in full;
- 2. Defendant's motion for summary judgment (Doc. No. 74) is DENIED; and
- 3. The matter is referred back to the magistrate judge for further proceedings including the setting of a trial date.

IT IS SO ORDERED.

Dated: March 7, 2016

UNITED STATES DISTRICT JUDGE