

1 Plaintiff from wearing his kufi in the dining hall; (2) Defendant Myers did not have any supervisory
2 role over the staff in Plaintiff's housing facility or dining hall and did not direct any staff to prohibit
3 kufis from being worn in the dining hall on or before July 26, 2010; and (3) Defendant Myers was not
4 responsible for policies regarding religious headwear.

5 The Court has considered Plaintiff's objections, but finds that there is no evidence supporting a
6 reasonable inference that Defendant Myers was delegated sole authority over all religious matters by
7 the Warden, that she was responsible for creation of the policy at issue, that she supervised Plaintiff's
8 housing facility or that she either enforced or cause anyone to enforce the relevant policy against him.
9 (ECF No. 66, pp. 4-5, 7-8 [DUF 2, 3, 4, 11, 112]). Further the evidence Plaintiff presented suggests
10 that prisoners had to apply to their religious leaders for exceptions to the general policy; Defendant
11 Myers does not appear to be involved in that process. (ECF No. 61, Ex. B).

12 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de
13 novo review of this case. Having carefully reviewed the entire file, including Plaintiff's objections,
14 the Court finds the findings and recommendations to be supported by the record and by proper
15 analysis.

16 Accordingly, IT IS HEREBY ORDERED that:

- 17 1. The Findings and Recommendations issued on October 1, 2014, are adopted in full;
- 18 2. Defendant's motion for summary judgment, filed on November 4, 2013, is GRANTED;
- 19 and
- 20 3. The Clerk of the Court shall enter judgment for Defendant Myers and close this file.

21
22 IT IS SO ORDERED.

23 Dated: January 16, 2015

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25 SENIOR DISTRICT JUDGE