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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

NICOLAS MORAN,
Plaintiff,

v.

K. DUTRA, et al.,
Defendants.

Case No. 1:11-cv-0914-LJO-MJS (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
DEFENDANTS AUTEN AND DUTRA'S
MOTION TO DISMISS

ECF No. 34

Plaintiff Nicholas Moran ("Plaintiff"), a California state prisoner, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 7, 2011. 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 August 19, 2013, the Magistrate Judge filed Findings and Recommendations, recommending that Defendants Auten and Dutra's motion to dismiss be denied. (ECF No. 34.)

The parties have filed objections. (ECF Nos. 35, 37.)

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 304, this
2 Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
3 Court finds the Findings and Recommendations to be supported by the record and by proper
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Findings and Recommendations, filed August 19, 2013, are adopted in full;
7 and
- 8 2. Defendants Auten and Dutra's motion to dismiss (ECF No. 23) is DENIED.

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11 IT IS SO ORDERED.

12 Dated: September 13, 2013

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