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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

STEWART MANAGO,  
  
  Plaintiff,  
  
  v.  
  
S.F. GONZALEZ, former warden, et  
al.,  
  
  Defendants.

**Case No. 1:11-cv-01269-LJO-SMS**  
  
**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS RECOMMENDING  
DISMISSAL OF CASE**  
  
(Doc. 60)

Defendants Adame, M. Bryant, J. Gentry, J. Gutierrez, K. Sigston, T. Steadman, E. Stelfer, T. Turmezei, and J. Tyree<sup>1</sup> moved to dismiss the complaint pursuant to F.R.Civ.P. 12(b) and 12(b)(6), contending that (1) Plaintiff failed to exhaust his administrative remedies, and (2) the complaint failed to allege facts sufficient to state a cause of action against Defendants. The matter was referred to United States Magistrate Judge Sandra M. Snyder pursuant to 28 U.S.C. § 636(b) and Local Rules 72-302 and 72-304.

On November 6, 2013, the Magistrate Judge filed findings and recommendations recommending that the case be dismissed against the moving Defendants since Plaintiff's claims were barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). The findings and recommendations provided thirty (30) days for the filing of objections. On November 18, 2013, Plaintiff filed

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<sup>1</sup> The remaining Defendants, A. Cantu and W. Gutierrez, had not been served at the time the listed Defendants brought their motion to dismiss. Their separate motion to dismiss is now pending before the Court and will be decided following full briefing of the motion.

1 voluminous objections (199 pages), accusing the Magistrate Judge of obstructing justice, and  
2 insisting that his "good claims" should go forward. Plaintiff did not, however, meaningfully  
3 address the application of *Heck*.

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

7 Accordingly, it is hereby ORDERED that the Findings and Recommendations, filed  
8 November 6, 2013, be adopted in full, dismissing the case against Defendants, Adame, M.  
9 Bryant, J. Gentry, J. Gutierrez, K. Sigston, T. Steadman, E. Stelfer, T. Turmezei, and J. Tyree.  
10 The Clerk of Court is directed to enter judgment in favor of the listed Defendants.  
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20 IT IS SO ORDERED.

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22 Dated: December 10, 2013

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