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

DURRELL ANTHONY PUCKETT,	)	1:11cv01565 LJO DLB PC
	)	
Plaintiff,	)	ORDER ADOPTING FINDINGS
	)	AND RECOMMENDATIONS AND
vs.	)	DENYING PLAINTIFF'S MOTION FOR
	)	SUMMARY JUDGMENT WITHOUT
D. BAILEY, et al.,	)	PREJUDICE
	)	
Defendants.	)	(Document 34)

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Plaintiff Durrell Anthony Puckett, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. 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 December 17, 2012, the Magistrate Judge issued Findings and Recommendations to deny Plaintiff's Motion for Summary Judgment without prejudice to re-filing once discovery has been completed. The Findings and Recommendations were served on the parties and contained notice to the parties that any objections to the Findings and Recommendations were to be filed within fifteen days. The parties have not filed timely objections to the Findings and Recommendations.

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

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations, filed December 17, 2012, are ADOPTED in  
6 full; and
- 7 2. Plaintiff's Motion for Summary Judgment is DENIED without prejudice to re-  
8 filing once discovery has been completed (Document 27).  
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11  
12 IT IS SO ORDERED.

13  
14 Dated: January 15, 2013

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