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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRENT ADLER,
Plaintiff,
v.
F. GONZALEZ, et al.,
Defendants.

Case No. 1:11-cv-1915-LJO-MJS (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO GRANT
DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT AND MOTION
TO DISMISS**

(ECF Nos. 49, 59)

CASE TO REMAIN OPEN

Plaintiff is a former state prisoner who initiated this civil rights action pro se and in forma pauperis on November 17, 2011. (ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern District of California. Plaintiff since has been released from prison and obtained counsel. (ECF Nos. 36 & 51.)

On October 14, 2014, the Magistrate Judge issued findings and recommendations to grant Defendants' motion for partial summary judgment and motion to dismiss. (ECF No. 59.) Plaintiff did not object to the findings and recommendations and the time for doing so has expired.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has

1 conducted a de novo review of this case. Having carefully reviewed the entire file, the
2 Court finds the findings and recommendations to be supported by the record and by
3 proper analysis.

4 Accordingly, it is HEREBY ORDERED that:

- 5 1. The Court adopts the findings and recommendations filed on October 14,
6 2014 (ECF No. 59), in full;
- 7 2. Defendants' motion for partial summary judgment and to dismiss (ECF No.
8 49), filed on July 21, 2014, is GRANTED;
- 9 3. Summary judgment is granted in favor of Defendants on Plaintiff's First
10 Amendment claims, with the exception of his claims that he was denied
11 group programs and services, visits to the chapel, and meetings with a
12 spiritual advisor;
- 13 4. Plaintiff's claims brought pursuant to the Religious Land Use and
14 Institutionalized Persons Act are HEREBY DISMISSED;
- 15 5. Defendant Holmstrom is HEREBY DISMISSED; and
- 16 6. The case shall remain open for further proceedings on Plaintiff's remaining
17 First Amendment claims.

18 IT IS SO ORDERED.

19 Dated: November 3, 2014

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