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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

<p>JESSE J. MONTIEL,</p> <p style="padding-left: 100px;">Plaintiff,</p> <p style="padding-left: 100px;">vs.</p> <p>YATES, et al.,</p> <p style="padding-left: 100px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>1:11cv02145 LJO DLB PC</p> <p>ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND GRANTING MOTION FOR SUMMARY JUDGMENT FILED BY DEFENDANTS TAHERPOUR AND WILSON</p> <p>(Document 59)</p>
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Plaintiff Jesse J. Montiel (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 28 U.S.C. § 1983. Plaintiff filed this action on December 28, 2011. On January 21, 2014, Defendants Taherpour and Wilson filed a motion for summary judgment.¹

On June 9, 2014, the Court issued [Findings and Recommendations](#) that the motion for summary judgment be granted. The Findings and Recommendations were served on the parties and contained notice that any objections to the Findings and Recommendations were to be filed within thirty (30) days. No objections have been filed.

¹ Defendant s Green and Das filed an answer on June 2, 2014, and remain in this action. Defendant Wynn was dismissed on June 12, 2014.

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 June 9, 2014, are ADOPTED in full;
- 6 2. The motion for summary judgment filed by Defendants Taherpour and Wilson
7 (Document 43) is GRANTED; and
- 8 3. Judgment be entered in favor of Defendants Taherpour and Wilson. Defendants
9 Das and Green remain in this action.
10

11 IT IS SO ORDERED.

12 Dated: July 21, 2014

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