## **UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

WILLIAM ATCHERLEY,	) 1:12ev00225 LJO DLB PC )
Plaintiff, vs.	) ) ORDER ADOPTING FINDINGS AND ) RECOMMENDATIONS AND GRANTING ) DEFENDANT ANDERSON'S MOTION ) FOR SUMMARY JUDGMENT
EDGAR CLARK, et al.,	) (Document 166)_
Defendants.	)

Plaintiff William Atcherley ("Plaintiff") is a prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 28 U.S.C. § 1983. This action is proceeding on Plaintiff's Third Amended Complaint, filed on January 26, 2015, for violation of the Eighth Amendment and negligence against numerous Defendants.

On November 26, 2014, Defendant Anderson filed a motion for summary judgment. 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 July 1, 2015, the Magistrate Judge issued <u>Findings and Recommendations</u> that Defendant's motion 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. Plaintiff filed <u>objections</u> on July 23, 2015, and Defendant filed a <u>reply</u> on August 7, 2015.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a <u>de novo</u> review of this case. Having carefully reviewed the entire file, including Plaintiff's objections and Defendant's response, the Court finds that the Findings and Recommendations are supported by the record and by proper analysis. Plaintiff's objections are mainly a repeat of arguments made in his opposition and addressed by the Magistrate Judge.

## Accordingly, IT IS HEREBY ORDERED that:

- 1. The Findings and Recommendations, filed July 1, 2015, are ADOPTED in full;
- Defendant Anderson's motion for summary judgment (Document 166) is GRANTED; and
- 3. <u>Judgment is entered in favor of Defendant Anderson on all claims.</u>

IT IS SO ORDERED.

Dated: August 17, 2015 /s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE