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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BARRY LOUIS LAMON,
Plaintiff,
v.
B. AMRHEIGN et al.,
Defendants.

No. 1:12-cv-00296-DAD-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DENYING
MOTION FOR JUDGMENT ON THE
PLEADINGS

(Doc. Nos. 71, 72, 80)

Plaintiff Barry Louis Lamon is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This 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 25, 2017, the assigned magistrate judge issued findings and recommendations recommending defendants’ motion for judgment on the pleadings be denied. (Doc. No. 80.)¹ The findings and recommendations were served on the parties and contained notice that objections

¹ The magistrate judge also found that defendants’ request for judicial notice (Doc. No. 72) in support of the motion for judgment on the pleadings involved actions taken in litigation which were undisputed, and that those prior court proceedings were a proper subject of judicial notice. (See Doc. No. 80 at 5.) Accordingly, the court will take judicial notice of those court proceedings in deciding this motion.

1 thereto were to be filed within fourteen days. (Doc. No. 80 at 8.) That deadline has passed, and
2 no objections were filed.

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

6 Accordingly:

- 7 1. The July 25, 2017 findings and recommendations (Doc. No. 80) are adopted in full;
- 8 2. Defendants' motion for judgment on the pleadings (Doc. No. 71) is denied; and
- 9 3. This matter is referred back to the assigned magistrate judge for further proceedings
10 consistent with this order.

11 IT IS SO ORDERED.

12 Dated: September 5, 2017

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15 UNITED STATES DISTRICT JUDGE
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