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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DWAYNE MEREDITH,
Plaintiff,
v.
D. OVERLY, et al.,
Defendants.

Case No. 1:12-cv-0455-LJO-MJS (PC)
**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS (ECF No. 69) TO:**
**(1) DENY DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT (ECF No. 56),**
**(2) DENY DEFENDANTS' MOTION TO
STRIKE (ECF No. 62), AND**
**(3) DENY PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT (ECF No. 63)**

CASE TO REMAIN OPEN

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 28 U.S.C. § 1983. (ECF Nos. 5 & 8.) 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.

On December 4, 2014, the Magistrate Judge issued Findings and Recommendations to deny Defendants' motion for summary judgment, deny

1 Defendants' motion to strike, and deny Plaintiff's motion for summary judgment. (ECF
2 No. 69.) No objections were filed.

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

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. The Court adopts the Findings and Recommendations (ECF No. 69), filed
9 December 4, 2014, in full;
- 10 2. Defendants' motion for summary judgment (ECF No. 56), filed June 13,
11 2014, is DENIED;
- 12 3. Defendants' motion to strike (ECF No. 62), filed July 18, 2014, is DENIED
13 as moot; and
- 14 4. Plaintiff's motion for summary judgment (ECF No. 63), filed July 21, 2014,
15 is DENIED.

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18 IT IS SO ORDERED.

19 Dated: December 29, 2014

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