UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND BALDHOSKY,	1:12-cv-01200-LJO-MJS
Plaintiff,	**DECISION AND ORDER ADOPTING FINDINGS AND RECOMMENDATIONS DENYING DEFENDANTS' MOTION TO DISMISS (Doc. 40)**
v.	
SUSAN HUBBARD, *et al*.,	
Defendants.	

Plaintiff is a former state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. On August 29, 2016, Defendants filed a motion to dismiss. ECF Doc. No. ("Doc.") 40. On October 17, 2016, Defendants filed a supplemental brief at the Court's direction. Doc. 53. Plaintiff filed a response on December 12, 2016. Doc. 61. Defendants filed a reply on December 19, 2016. Doc. 63. On January 5, 2017, the Magistrate Judge assigned to the case issued findings and recommendation that the Court deny the motion to dismiss. Doc. 65. The findings and recommendation was served on the parties and provided for objections to be filed within 14 days of service, and responses to a party's objections to be filed within 14 days of being served with another party's objections. *Id*. On January 18, 2017, Defendants filed objections to the findings and recommendation. Doc. 69. On February 1, 2017, Plaintiff filed a response to the objections. Doc. 70.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file and considered Defendants' objections, the Court finds that the findings and recommendation is supported by the record and proper analysis. The Court declines to modify the findings and recommendation based on any point raised in

the objections.

Accordingly, IT IS HEREBY ORDERED that the findings and recommendation filed January 5, 2017, are ADOPTED IN FULL.

IT IS SO ORDERED.

Dated: **April 11, 2017**   **/s/ Lawrence J. O'Neill**
                                             UNITED STATES CHIEF DISTRICT JUDGE