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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LORENZO FOSSELMAN, JR.,
Plaintiff,
v.
D. DIMMER and JOHNSON,
Defendants.

No. 1:12-cv-01302-DAD-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DENYING
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT

(Doc. Nos. 38 & 43)

Plaintiff Lorenzo Fosselman, Jr. is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983. 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 May 18, 2016, the assigned magistrate judge filed findings and recommendations, recommending that defendants' motion for summary judgment due to plaintiff's alleged failure to exhaust his administrative remedies prior to filing suit be denied. (Doc. No. 43.) The findings and recommendations were served on the parties and contained notice that objections thereto were to be filed within thirty days. (*Id.*) More than thirty days have passed, and no objections have been filed.

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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, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly,

1. The May 18, 2016 findings and recommendations (Doc. No. 43) are adopted in full;
and
2. Defendants’ motion for summary judgment due to plaintiff’s alleged failure to exhaust his administrative remedies prior to filing suit (Doc. No. 38) is denied.

IT IS SO ORDERED.

Dated: September 14, 2016



UNITED STATES DISTRICT JUDGE