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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

BRYAN E. RANSOM,

Plaintiff,

vs.

RODOLFO AGUIRRE, et al.,

Defendants.

) 1:12cv01343 AWI DLB PC  
)  
)  
) ORDER ADOPTING FINDINGS  
) AND RECOMMENDATIONS AND  
) DENYING DEFENDANTS’ MOTION FOR  
) PARTIAL SUMMARY JUDGMENT  
) PENDING AN EVIDENTIARY HEARING  
)  
) (Documents 94, 103)

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Plaintiff Bryan E. Ransom (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action. Defendants paid the filing fee and removed the action to this Court on August 16, 2012.

On December 30, 2014, Defendants filed a motion for partial summary judgment based on Plaintiff’s failure to exhaust his administrative remedies. 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 August 25, 2015, the Court issued [Findings and Recommendations](#) that Defendants’ motion be denied pending an evidentiary hearing. The parties were advised that objections were to be filed within thirty days of the date of service of this order. No objections have been filed.

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

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations, filed August 25, 2015, (Doc. 103) are  
6 ADOPTED in full;
- 7 2. Defendants' motion for partial summary judgment based on Plaintiff's failure to  
8 exhaust (Document 94) is DENIED PENDING AN EVIDENTIARY HEARING;  
9 and  
10
- 11 3. The matter is referred back to the Magistrate Judge for further proceedings.

12 IT IS SO ORDERED.

13 Dated: September 30, 2015

14   
15 SENIOR DISTRICT JUDGE