

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10

11 THE ESTATE OF CECIL ELKINS, JR., et
12 al.,

13 Plaintiffs,

14 v.

15 CALIFORNIA HIGHWAY PATROL, et al.,

16 Defendants.

Case No. 1:13-cv-01483-AWI-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(ECF Nos. 54, 61, 62, 64)

FOURTEEN DAY DEADLINE

17 On March 4, 2015, the magistrate judge assigned to this action issued a [findings and](#)
18 [recommendations](#) recommending that Defendant's motion to dismiss be granted. (ECF No. 64.)
19 The findings and recommendations contained notice that any objections were to be filed within
20 fourteen days. More than fourteen days have passed and no objections to the findings and
21 recommendations have been filed.

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

25 Accordingly, it is HEREBY ORDERED that:

- 26 1. The March 4, 2015 findings and recommendations is ADOPTED IN FULL (ECF
27 No. 64);
28

2. Defendant's motion to dismiss is GRANTED (ECF No. 54);
3. Plaintiff's second amended complaint is DISMISSED, with leave to amend;
4. Plaintiff shall file a third amended complaint within fourteen (14) days of the date of service of this order; and
5. Failure to file an amended complaint in compliance with this order will result in dismissal of this action.

IT IS SO ORDERED.

Dated: March 20, 2015



SENIOR DISTRICT JUDGE