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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 FEDERICO HERNANDEZ,
11 Plaintiff,
12 v.
13 M. HERNANDEZ, et al.,
14 Defendants.

Case No. 1:13-cv-01625-AWI-MJS (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

(ECF No. 72)

CASE TO REMAIN OPEN

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17 Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil
18 rights action brought pursuant to 42 U.S.C. § 1983. The matter was referred to a United
19 States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 of the
20 United States District Court for the Eastern District of California.

21 On May 18, 2015, the Magistrate Judge issued findings and recommendations to
22 deny Defendants Clark, Rodriguez, and Martinez's motion for summary judgment
23 brought on exhaustion grounds. (ECF No. 72) No objections were filed.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has
25 conducted a de novo review of this case. Having carefully reviewed the entire file, the
26 Court finds the findings and recommendations to be supported by the record and by
27 proper analysis.
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1 Accordingly, it is HEREBY ORDERED that:

- 2 1. The Court adopts the findings and recommendations (ECF No. 72), filed
3 May 18, 2015, in full;
4 2. Defendants' motion for summary judgment (ECF No. 53), filed March 23,
5 2015, is DENIED; and
6 3. The case shall remain open for further proceedings on Plaintiff's claims.

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8 IT IS SO ORDERED.

9 Dated: June 4, 2015


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SENIOR DISTRICT JUDGE