1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 12 1:13cv01779 AWI DLB PC BRYAN E. RANSOM, 13 Plaintiff, ORDER ADOPTING FINDINGS AND 14 RECOMMENDATIONS AND DENYING DEFENDANTS' MOTION TO DISMISS VS. 15 WITHOUT PREJUDICE C. McCABE, et al., 16 (Document 41) Defendants. 17 Plaintiff Bryan E. Ransom ("Plaintiff") is a prisoner proceeding pro se and in forma 18 pauperis in this civil rights action. Plaintiff filed this action on November 5, 2013. 19 On February 13, 2015, Defendants filed a motion to dismiss the majority of state law 20 claims for failure to allege compliance with the California Government Claims Act. The matter 21 was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local 22 Rule 302. 23 On September 2, 2015, the Court issued Findings and Recommendations that 24 Defendants' motion be denied without prejudice. The parties were advised that objections were 25 to be filed within thirty days of the date of service of this order. No objections have been filed. 26 /// 27 /// 28

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

Accordingly, IT IS HEREBY ORDERED that:

- 1. The Findings and Recommendations, filed September 2, 2015, are ADOPTED in full;
- Defendants' motion to dismiss the state law claims is DENIED WITHOUT PREJUDICE; and
- 3. Defendants SHALL file a responsive pleading within fourteen (14) days of the date of service of this order.

IT IS SO ORDERED.

Dated: <u>October 22, 2015</u>

SENIOR DISTRICT JUDGE