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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

KENNETH OLIVER,	)	Case No.: 1:14-cv-00088-LJO-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER ADOPTING FINDINGS AND
v.	)	RECOMMENDATIONS, GRANTING IN PART
	)	AND DENYING IN PART DEFENDANTS'
DARRYL ADAMS, et al.,	)	MOTION TO DISMISS, AND DENYING
	)	PLAINTIFF'S MOTION TO FILE AN AMENDED
Defendants.	)	COMPLAINT
	)	
	)	[ECF Nos. 37, 50, 54]

Plaintiff Kenneth Oliver is appearing pro se and in forma pauperis 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 December 22, 2016, the Magistrate Judge filed a Findings and Recommendations recommending that Defendants' motion to dismiss be granted in part and denied in part and Plaintiff's motion to amend the complaint be denied. The Findings and Recommendations were served on the parties and contained notice that objections were to be filed within thirty days. The thirty day time frame has expired and no objections were filed.

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.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed on December 22, 2016, are adopted in full;
2. Defendants' motion to dismiss is granted in part and denied in part as follows:
  - a. Denied as to dismissal of Plaintiff's claims for declaratory and injunctive relief based on policy of CDCR;
  - b. Granted as to dismissal of all claims for monetary damages against Defendants in their official capacities;
  - c. Granted as to dismissal of monetary damages against all Defendants under RLUIPA;
  - d. Denied for dismissal as barred by the statute of limitations; and
3. Plaintiff's motion to amend should is denied as futile.

IT IS SO ORDERED.

Dated: February 3, 2017

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE