

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FELIPE GARCIA, Case No. 1:14-cv-00625-LJO-SAB (PC) Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DENYING DEFENDANTS' MOTION FOR SUMMARY v. JUDGMENT FOR FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES J. HOBMEIER, et al., (ECF Nos. 44, 47, 50, 56, 57, 58) Defendants.

Plaintiff Felipe Garcia is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On October 19, 2016, Defendants filed a motion for summary judgment for failure to exhaust administrative remedies, which was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 26, 2017, the Magistrate Judge filed a findings and recommendations. The findings and recommendations recommended denying Defendants' motion for summary judgment. The findings and recommendations was served on the parties and contained notice that any objections to the findings and recommendations were to be filed within thirty days from the date of service. Plaintiff filed objections to the findings and recommendations on August 9, 2017. Defendants filed objections to the findings and recommendations on August 24, 2017.

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 the

findings and recommendations to be supported by the record and by proper analysis. Accordingly, IT IS HEREBY ORDERED that: The findings and recommendations, filed July 26, 2017, is ADOPTED IN 1. FULL; and Defendants' motion for summary judgment for failure to exhaust 2. administrative remedies is DENIED. IT IS SO ORDERED. /s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE Dated: **August 25, 2017**