1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 PARNELL CURTIS, Case No.: 1:14-cv-00656-AWI-SAB (PC) 12 Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATION, DENYING 13 v. DEFENDANTS' MOTION TO DISMISS. WITHOUT PREJUDICE, AND DIRECTING CALIFORNIA CORRECTIONAL 14 DEFENDANTS TO FILE A FURTHER RESPONSE INSTITUTION, et al., TO AMENDED COMPLAINT WITHIN THIRTY 15 **DAYS** 16 Defendants. [ECF Nos. 34, 38] 17 18 Plaintiff Parnell Curtis is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 19 1983. 20 On March 17, 2015, the Magistrate Judge filed a Findings and Recommendations which was 21 served on the parties and which contained notice to the parties that Objections to the Findings and 22 Recommendation were to be filed within thirty days. Plaintiff filed objections on April 6, 2015. 23 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de 24 novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and 25 Recommendations to be supported by the record and by proper analysis. 26 Accordingly, IT IS HEREBY ORDERED that: 27

The Findings and Recommendation, filed on March 17, 2015, is adopted in full;

Defendants' motion to dismiss is DENIED, without prejudice, to re-filing by way of

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motion for summary judgment, if so desired; and

3. Within thirty (30) days from the date of service of this order, Defendants shall file a further response to first amended complaint.

SENIOR DISTRICT JUDGE

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IT IS SO ORDERED.

Dated: May 6, 2015