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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CURTIS ANDERSON,  
  
                                Plaintiff,  
  
                  v.  
  
UNITED STATES OF AMERICA,  
  
                                Defendant.

No. 1:16-cv-00352-DAD-SAB

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
DEFENDANTS’ MOTION FOR SUMMARY  
JUDGMENT

(Doc. Nos. 55, 59)

Plaintiff Curtis Anderson is a federal prisoner proceeding *pro se* and *in forma pauperis* in this action pursuant to the Federal Tort Claims Act (“FTCA”), 28 U.S.C. § 2671. 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 August 8, 2018, defendant filed a motion for summary judgment. (Doc. No. 55.) On November 28, 2018, the assigned magistrate judge issued findings and recommendations, recommending that defendant’s motion for summary judgment be denied. (Doc. No. 59.) The findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within thirty days after service. (*Id.* at 12.) Defendant filed objections on December 21, 2018. (Doc. No. 60.)

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1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the undersigned has  
2 conducted a *de novo* review of the case. In the undersigned's view, defendant's objections do not  
3 raise any argument not already adequately considered and appropriately rejected in the pending  
4 findings and recommendations. Having carefully reviewed the entire file, including defendant's  
5 objections, the undersigned concludes that the findings and recommendations are supported by  
6 the record and by proper analysis.

7 Accordingly:

- 8 1. The findings and recommendations issued on November 28, 2018 (Doc. No. 59)  
9 are adopted in full;
- 10 2. Defendant's motion for summary judgment (Doc. No. 55) is denied; and
- 11 3. This matter is referred back to the assigned magistrate judge for further  
12 proceedings.

13 IT IS SO ORDERED.

14 Dated: January 30, 2019

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17 UNITED STATES DISTRICT JUDGE  
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