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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SIMON THORNTON,

 Plaintiff,

 v.

DONALD L. GRISSOM, et al.,

 Defendants.

CASE NO. 1:16-cv-0498-AWI-MJS (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY
PLAINTIFF'S SECOND MOTION FOR
SUMMARY JUDGMENT**

(ECF NOS. 44, 47)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983.

On July 21, 2017, the magistrate judge issued findings and recommendations to deny Plaintiff's second motion for summary judgment because it was filed prematurely and not in compliance with Federal Rule of Civil Procedure 56 and Local Rule 260(a). (ECF No. 47.) Plaintiff has not filed any objections.

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 revised findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

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1. The Court adopts the July 21, 2017, findings and recommendations (ECF No. 47); and
2. Plaintiff's June 26, 2017, motion for summary judgment (ECF No. 44) is DENIED without prejudice.

IT IS SO ORDERED.

Dated: October 25, 2017



SENIOR DISTRICT JUDGE