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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA
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9 MICHAEL NEIL JACOBSEN,

10 Plaintiff,

11 v.

12 OFFICER CURRAN, *et al.*,

13 Defendants.
14

Case No. 1:16-cv-01050-LJO-JDP (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(ECF No. 75)

15 Michael Neil Jacobsen (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
16 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to
17 a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

18 On April 6, 2018, Magistrate Judge Michael J. Seng entered findings and
19 recommendations, recommending that:

- 20 1. Defendant Curran’s motion for summary judgment (ECF Nos. 38) for failure
21 to exhaust administrative remedies be granted in part;
- 22 a. Summary judgment be entered in favor of Defendant Curran;
 - 23 b. Defendant Curran’s motion for summary judgment be denied as to
24 all other defendants; and
- 25 2. Defendant [Dulces] Gonzalez’s motion for summary judgment and,
26 alternatively, for judgment on the pleadings, (ECF No. 35) be denied.

27 (ECF No. 75.) The parties were given an opportunity to object to the findings and
28 recommendations within fourteen days. Defendant Dulces Gonzales filed objection on April

1 11, 2018. (ECF No. 76.) Plaintiff filed his objections on April 27, 2018. (ECF No. 79).

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this
3 Court has conducted a de novo review of this case. Having carefully reviewed the entire file,
4 the Court finds the findings and recommendations to be supported by the record and proper
5 analysis.

6 Accordingly, IT IS ORDERED that:

- 7 1. The findings and recommendations issued by the magistrate judge on April 6,
8 2018, (ECF No. 75), are ADOPTED IN FULL;
- 9 2. Defendant Curran's motion for summary judgment (ECF Nos. 38) for
10 failure to exhaust administrative remedies is granted in part, as follows:
 - 11 a. Summary judgment is granted in favor of Defendant Curran;
 - 12 b. Defendant Curran's motion for summary judgment is denied as to
13 all other defendants;
- 14 3. Defendant Dulces Gonzalez's motion for summary judgment and,
15 alternatively, for judgment on the pleadings, (ECF No. 35) is denied.

16
17 IT IS SO ORDERED.

18 Dated: May 9, 2018

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