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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	ANTONIO MARTINEZ,	No. 1:16-cv-01467-DAD-BAM (PC)
12	Plaintiff,	
13	v.	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS (Doc. No. 53)
14	F. ROJAS, et al.,	
15	Defendants.	(DOC. NO. 55)
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17	Plaintiff Antonio Martinez is a state prisoner proceeding pro se and in forma pauperis in	
18	this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States	
19	Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On September 13, 2019, the assigned magistrate judge issued findings and	
21	recommendation recommending that defendant Officer Doe # 3 be dismissed, without prejudice,	
22	due to plaintiff's failure to name the doe defendant and initiate service of process as to that	
23	defendant within the time required by Federal Rule of Civil Procedure 4(m). (Doc. No. 53.) The	
24	findings and recommendations were served on plaintiff and contained notice that any objections	
25	thereto were to be filed within fourteen (14) days after service. (<i>Id.</i> at 3-4.) No objections have	
26	been filed and the time in which to do so has passed.	
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In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and proper analysis. Accordingly, 1. The findings and recommendations issued on September 13, 2019 (Doc. No. 53) are adopted in full; 2. Defendant Officer Doe # 3 is dismissed from this action, without prejudice, pursuant to Federal Rule of Civil Procedure 4(m); 3. This action shall proceed against defendant Rojas for deliberate indifference in violation of the Eighth Amendment; and 4. The matter is referred back to the assigned magistrate judge for further proceedings. IT IS SO ORDERED. **December 10, 2019** Dated: