

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

JESUS BONILLA CASTANEDA,  
Plaintiff,  
v.  
STU SHERMAN, et al.,  
Defendants.

No. 1:16-cv-01562-LJO-SKO (PC)  
**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS DENYING  
DEFENDANTS' MOTION TO DISMISS**  
(Docs. 36, 43)  
**SEVEN (7) DAY DEADLINE**

Plaintiff, Jesus Bonilla Castaneda, is a state prisoner proceeding *pro se* and *in forma pauperis*, in this civil rights action pursuant to 42 U.S.C. § 1983. 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 February 20, 2019, the Magistrate Judge issued Findings and Recommendation to deny Defendants' motion to dismiss. (Doc. 43.) The Findings and Recommendation was served that same date and gave the parties twenty-one days to file objections. (*Id.*) Despite lapse of the time allowed, no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the February 20, 2019 Findings and Recommendation to be supported by the record and proper analysis.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly:

1. the Findings and Recommendation, issued on February 20, 2019 (Doc. 43), is adopted in full;
2. Defendants’ motion to dismiss, filed on June 21, 2018, (Doc. 36), is denied; and
3. Defendants SHALL file an answer to the First Amended Complaint **within seven (7) days** of the date of service of this order.

IT IS SO ORDERED.

Dated: March 20, 2019

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