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7 **UNITED STATES DISTRICT COURT**  
8 **EASTERN DISTRICT OF CALIFORNIA**  
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10 ERIC DARNELL JOY,

11 Plaintiff,

12 v.

13 B. LASZUK, *et al.*,

14 Defendants.

Case No. 1:16-cv-01652-LJO-EPG (PC)

**ORDER DENYING PLAINTIFF'S  
MOTION FOR EXTENSION OF TIME  
TO FILE OBJECTIONS TO FINDINGS  
AND RECOMMENDATIONS**

(ECF No. 41)

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16 Plaintiff Eric Darnell Joy is a state prisoner proceeding *pro se* and *in forma pauperis*  
17 with this civil rights action pursuant to 42 U.S.C. § 1983. On November 1, 2016, Plaintiff filed  
18 the complaint commencing this action. (ECF No. 1). On December 11, 2017, Magistrate Judge  
19 Erica P. Grosjean entered findings and recommendations recommending that all claims and  
20 defendants, except for Plaintiff's claims for unconstitutional conditions of confinement in  
21 violation of the Eighth Amendment against Defendants Laszuk, Valdez, and Garcia, be  
22 dismissed. (ECF No. 36). Plaintiff was provided an opportunity to file objections to the  
23 findings and recommendations within fourteen days. On December 28, 2017, Chief District  
24 Judge Lawrence J. O'Neill adopted the findings and recommendations in full. (ECF No. 40).

25 On January 8, 2018, Plaintiff filed "Objections to Magistrate Judge's Findings and  
26 Recommendations," in which he requests an extension of time to object to the findings and  
27 recommendations. (ECF No. 41). Plaintiff states that he did not receive a copy of the findings  
28 and recommendations until December 19, 2017, because his mail was routed through his

1 previous institution of confinement.

2 As the findings and recommendations have been adopted in full, the Court declines to  
3 extend Plaintiff's time to file objections. The Court notes that the findings and  
4 recommendations are consistent with the Court's prior order, (ECF No. 13). Plaintiff may  
5 continue to proceed on his claims for unconstitutional conditions of confinement in violation of  
6 the Eighth Amendment against Defendants Laszuk, Valdez, and Garcia as set forth in his First  
7 Amended Complaint, (ECF No. 12).

8 Accordingly, Plaintiff's motion for an extension of time is denied.

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10 IT IS SO ORDERED.

11 Dated: January 25, 2018

12 /s/ Eric P. Groj  
13 UNITED STATES MAGISTRATE JUDGE  
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