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

4 DOMINIQUE D. BAKER,) Case No.: 1:16-cv-01873-AWI-SAB (PC)
5)
6 Plaintiff,)
7 v.) ORDER ADOPTING FINDINGS AND
8 HUMBERTO GERMAN, et al.,) RECOMMENDATION, AND DENYING
9 Defendants.) JUDGMENT, WITHOUT PREJUDICE, AS
10) PREMATURE
11) {ECF Nos. 10, 13}

11 Plaintiff Dominique Baker is appearing pro se and in forma pauperis in this civil rights action
12 pursuant to 42 U.S.C. § 1983.

13 The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. §
14 636(b)(1)(B) and Local Rule 302. On February 9, 2017, the Magistrate Judge filed a Findings and
15 Recommendation which was served on Plaintiff and contained notice that objections were to be filed
16 within thirty days. Over thirty days have passed and no objections were filed.

17 In accordance with the provisions of 28 U.S.C. § 636(b), the Court has reviewed the matter.
18 Having carefully reviewed the entire file, the Court finds the Findings and Recommendation to be
19 supported by the record and by proper analysis.

20 Accordingly, IT IS HEREBY ORDERED that:

- 21 1. The Findings and Recommendation, filed on February 9, 2017, is adopted in full; and
22 2. Plaintiff's motion for summary judgment is denied, without prejudice, as premature.

23
24 IT IS SO ORDERED.

25 Dated: April 20, 2017

26 
27 SENIOR DISTRICT JUDGE
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