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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 LARRY WILLIAM CORTINAS,

12 Plaintiff,

13 vs.

14 M. HUERTA, et al.,

15 Defendants.
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1:17-cv-00130-AWI-GSA-PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 67.)**

**ORDER DENYING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT
AS MOOT, WITH LEAVE TO FILE NEW
MOTION
(ECF No. 51.)**

17 Larry William Cortinas (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
18 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a
19 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On April 1, 2020, findings and recommendations were entered, recommending that the
21 motion for summary judgment filed by defendants Huerta and Scalia on July 24, 2019 be denied
22 as moot, with leave to file a new motion for summary judgment on the claims remaining in this
23 case within 60 days. (ECF No. 67.) The parties were granted fourteen (14) days in which to file
24 objections to the findings and recommendations. (*Id.*) The fourteen-day time period has expired,
25 and no objections were filed.¹
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28 ¹ The parties were granted fourteen days in which to file objections and ten days after the filing
date of any objections in which to file a reply to the objections. (ECF No. 67 at 8-9.)

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

4 Accordingly, THE COURT HEREBY ORDERS that:

- 5 1. The findings and recommendations entered by the Magistrate Judge on April 1,
6 2020 (Doc. No. 67), are ADOPTED IN FULL;
- 7 2. The motion for summary judgment filed by defendants Huerta and Scalia on July
8 24, 2019 (Doc. No. 51), is DENIED as moot, with leave to file a new motion for
9 summary judgment on the claims remaining in this case within 60 days; and
- 10 3. This case is referred back to the Magistrate Judge for further proceedings.

11 IT IS SO ORDERED.

12 Dated: May 7, 2020

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15 SENIOR DISTRICT JUDGE