

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

PAUL FREE,

Plaintiff,

V.

Plaintiff,

V.

Plaintiff,

Plaintiff,

V.

Plaintiff,

V.

Plaintiff,

V.

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS TO DENY WITHOUT PREJUDICE PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

DR. NADER PEIKAR, et al.,

(ECF Nos. 33, 59)

Defendants.

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed a motion for summary judgment. The matter was

FOURTEEN-DAY DEADLINE

referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule

302.

On February 26, 2018, Plaintiff filed a motion for summary judgment. Doc. No. 33. On June 7, 2018, the magistrate judge filed a Findings and Recommendation ("F&R"). Doc. No. 59. The F&R recommended denying Plaintiff's motion for summary judgment without prejudice and contained notice that any objections were to be filed within fourteen days. To date, no party has filed objections to the F&R.

The Court has reviewed the file and finds the F&R is supported by the record and by the magistrate judge's analysis. Therefore, the Court will adopt the F&R and deny Plaintiff's motion without prejudice.

Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed June 7, 2018 (ECF No. 59), are adopted in full; 2. Plaintiff's motion for summary judgment (ECF No. 33) is denied without prejudice; and 3. This case remains open and is referred back to the Magistrate Judge for further proceedings. IT IS SO ORDERED. Dated: September 11, 2018 SENIOR DISTRICT JUDGE