1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 JAMES BOWELL, No. 1:17-cv-00605-NONE-GSA (PC) 12 Plaintiff. ORDER ADOPTING FINDINGS AND RECOMMENDATIONS RECOMMENDING 13 DEFENDANTS' MOTION FOR SUMMARY v. JUDGMENT BE GRANTED 14 DEFENDANT, et al., (Doc. Nos. 90, 100) 15 Defendants. 16 17 Plaintiff James Bowell is a state inmate proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on plaintiff's first amended 18 19 complaint against (1) defendants Montoya and Carter for violations of plaintiff's Fourteenth 20 Amendment rights and (2) defendants Killmer and Lopez for violations of plaintiff's Eighth 21 Amendment rights and for conspiracy to violate his rights. This action was referred to a United 22 States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On May 10, 2021, the assigned magistrate judge issued findings and recommendations 23 recommending that defendants' motion for summary judgment (Doc. No. 90) be granted and that 24 25 the Clerk of the Court be directed to enter judgment in favor of defendants and to close this case. 26 (Doc. No. 100.) Those findings and recommendations were served on the parties and contained 27 notice that any objections thereto were to be filed within fourteen (14) days after service. (Id. at 28 25.) On May 19, 2021, plaintiff filed objections. (Doc. No. 101.) The objections do not address 1

the magistrate judge's reasoning set forth in the pending findings and recommendations. (*Id.*) In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a de novo review of the case. Having carefully reviewed the entire file, the court concludes that the magistrate judge's findings and recommendations are supported by the record and by proper analysis. Accordingly, 1. The findings and recommendations issued on May 10, 2021, (Doc. No. 100), are adopted in full; 2. Defendants' motion for summary judgment (Doc. No. 90) is granted; and 3. The Clerk of the Court is directed to assign a district judge to this case for the purpose of closing the case and then to close this case. IT IS SO ORDERED. Dated: **August 18, 2021**