

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MATTHEW MCCLANE,
Plaintiff,
v.
G. CASAS, *et al.*,
Defendants.

Case No. 1:17-cv-00928-LJO-JDP

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY MOTION
TO DISMISS

(ECF No. 26.)

Matthew McClane (“plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 9, 2018, Magistrate Judge Jeremy D. Peterson entered findings and recommendations, recommending that Defendants' motion to dismiss (ECF No. 20) be denied. (ECF No. 26.) The parties were given an opportunity to object to the findings and recommendations within fourteen days. No objections were filed.

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

Accordingly, IT IS ORDERED that:

1. The findings and recommendations issued by the magistrate judge on August 9, 2018, (ECF No. 26), are ADOPTED IN FULL; and
2. Defendant's motion to dismiss (ECF No. 20) is denied.

IT IS SO ORDERED.

Dated: August 29, 2018

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE