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

JAMES C. McCURDY,) Case No.: 1:17-cv-01356-LJO-SAB (PC)
)
Plaintiff,)
)
v.) ORDER ADOPTING FINDINGS AND
) RECOMMENDATIONS, AND DENYING
S. KERNAN, et al.,) DEFENDANTS' MOTION FOR SUMMARY
) JUDGMENT
Defendants.) [ECF Nos. 35, 48]
)
)

Plaintiff James C. McCurdy is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On June 19, 2019, the Magistrate Judge issued Findings and Recommendations recommending that Defendants' motions for summary judgment be denied. The Findings and Recommendations were served on the parties and contained notice that objections were due within thirty (30) days. No objections have been filed and the time to do so has expired.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the 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 by proper analysis.

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Based on the foregoing, it is HEREBY ORDERED that:

1. The Findings and Recommendations issued on June 19, 2019, are adopted in full;
2. Defendants’ motion for summary judgment is denied; and
3. The matter is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Dated: August 8, 2019

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