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

ROGELIO MAY RUIZ, Plaintiff, v. L. ARAKAKI, et al., Defendants.) Case No. 1:17-cv-01404-AWI-SAB (PC)))) ORDER ADOPTING FINDINGS AND) RECOMMENDATIONS, DENYING) DEFENDANTS’ MOTION TO DISMISS, AND) DIRECTING THAT FURTHER RESPONSE BE) FILED WITHIN FOURTEEN DAYS)) [ECF Nos. 35, 40])
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Plaintiff Rogelio May Ruiz is appearing pro se and in forma pauperis in this civil rights action pursuant to 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 17, 2018, the Magistrate Judge filed a Findings and Recommendations recommending that Defendants’ motion to dismiss for failure to state a cognizable claim be denied. The Findings and Recommendations were served on the parties and contained notice that objections were to be filed within thirty days. No objections were 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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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations (Doc. No. 40) are adopted in full;
2. Defendants' motion to dismiss (Doc. No. 35) is denied; and
3. Defendants shall file a further responsive pleading within fourteen (14) days after service of this order.

IT IS SO ORDERED.

Dated: October 18, 2018



SENIOR DISTRICT JUDGE