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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA A. WILLARD,
Plaintiff,
v.
C. WADDLE,
Defendant.

No. 1:17-cv-01425-DAD-GSA (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
MOTION TO REOPEN AND MOTION FOR
COPIES AS MOOT

(Doc. No. 33, 34, 37)

Plaintiff Joshua A. Willard is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 1, 2020, the assigned magistrate judge issued findings and recommendations recommending that plaintiff’s motion to reopen (Doc. No. 33) and motion requesting that defendant provide him with copies of the parties’ settlement agreement and stipulation for voluntary dismissal (Doc. No. 34) be denied as moot. (Doc. No. 37.) Specifically, the magistrate judge found that because defendant had responded to plaintiff’s motions and clarified that defendant sent copies of the requested documents to plaintiff shortly after he filed his motions, and plaintiff did not file a reply to that response, an inference could appropriately be made that plaintiff no longer wished to reopen this case. (*Id.* at 3.) Those findings and recommendations were served on plaintiff by mail on March 27, 2020 and contained notice that objections thereto

1 were to be filed within fourteen (14) days of service of the findings and recommendations. (*Id.* at
2 4.) To date, no objections to the pending findings and recommendations have been filed, and the
3 time in which to do so has now passed.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a
5 *de novo* review of this case. Having carefully reviewed the entire file, the court concludes that
6 the findings and recommendations are supported by the record and by proper analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued on April 1, 2020 (Doc No. 37) are
9 adopted in full;
- 10 2. Plaintiff's motion to reopen this case (Doc. No. 33) is denied as moot;
- 11 3. Plaintiff's motion for copies (Doc. No. 34) is denied as moot; and
- 12 4. This case remains closed.

13 IT IS SO ORDERED.

14 Dated: May 11, 2020

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17 UNITED STATES DISTRICT JUDGE
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