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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE SHELDON JERCICH,
Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,
Defendants.

Case No. 1:18-cv-00032-LJO-EPG (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF Nos. 55, 56, 57, 59)

Plaintiff, George Sheldon Jercich, is a former state prisoner proceeding *pro se* 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 December 23, 2019, Magistrate Judge Erica P. Grosjean entered findings and recommendations recommending that that the motion to dismiss filed by Defendant Smith be granted and that the motion for reconsideration filed by Plaintiff be denied. (ECF No. 59.)

Plaintiff was provided an opportunity to file objections to the findings and recommendations within twenty-one days. Plaintiff has not filed any objections and the time to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B), this court has conducted a

1 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
2 and recommendations to be supported by the record and by proper analysis.

3 Accordingly, the Court hereby orders that:

- 4 1. The findings and recommendations entered December 23, 2019 (ECF No. 59) are
5 adopted in full;
- 6 2. Defendant Smith's motion to dismiss (ECF No. 56) is GRANTED;
- 7 3. Plaintiff's motion for reconsideration (ECF No. 57) is DENIED;
- 8 4. Plaintiff's Fourth Amended Complaint (ECF No. 55) is DISMISSED WITH
9 PREJUDICE.
- 10 5. The Clerk of Court is respectfully directed to close this case.

11 IT IS SO ORDERED.

12 Dated: January 24, 2020

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

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