

1 Although plaintiff's objections were received by the court after the fourteen-day period
2 for objections had passed, the court has reviewed plaintiff's objections out of an abundance of
3 caution. In his objections, plaintiff disputes the facts asserted in defendants' declarations, and
4 alleges that defendant Borum was fully aware of plaintiff's litigation and inmate grievance history
5 at the time of his status change and that both defendants knowingly placed plaintiff in c-status in
6 error. (*Id.* at 1–2.) Plaintiff's objections do not address the magistrate judge's reasoning as set
7 forth in the pending findings and recommendations, but rather, merely adds additional support to
8 the magistrate judge's finding that the parties dispute over whether plaintiff's history of filing
9 inmate grievances was a substantial or motivating factor behind his placement on c-status
10 precludes the granting of summary judgment in favor of any party to this action.

11 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
12 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
13 including plaintiff's objections, the court finds the findings and recommendations to be supported
14 by the record and by proper analysis.

15 Accordingly,

- 16 1. The findings and recommendations issued on July 13, 2021 (Doc. No. 80) are
17 adopted in full;
- 18 2. Defendant's motion for summary judgment is denied (Doc. No. 65);
- 19 3. Plaintiff's motion for summary judgment is denied (Doc. No. 66);
- 20 4. The matter is referred back to the magistrate judge for further proceedings.

21 IT IS SO ORDERED.

22 Dated: September 5, 2021

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25 UNITED STATES DISTRICT JUDGE
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