

1 days. (*Id.* at 9.) Neither party has filed objections to the findings and recommendations.

2 The court has reviewed the file and finds the findings and recommendations to be supported
3 by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
4 that:

5 1. The findings and recommendations filed February 8, 2021 (Doc. No. 42), are adopted in
6 full;

7 2. Defendant Bettencourt's motion for summary judgment due to plaintiff's failure to
8 exhaust administrative remedies prior to filing suit (Doc. No. 36) is GRANTED, and the Clerk of
9 Court is directed to enter judgment for this defendant;

10 3. Plaintiff's motion for summary judgment (Doc. No. 39) is DENIED;

11 4. This matter is referred back to the magistrate judge for further proceedings consistent
12 with this order.¹

13 IT IS SO ORDERED.

14 Dated: March 8, 2021

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16 _____
17 UNITED STATES DISTRICT JUDGE

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26 _____
27 ¹ Plaintiff's claims against at least one other defendant survived screening. However, for the time
28 being, the remaining claims have been stayed pending referral to the Post Screening Alternative
Dispute Resolution Project. (Doc. No. 46.)