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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEITH ROBERT LUGO,

 Plaintiff,

 v.

R. FISHER, et al.,

 Defendants.

No.: 1:19-cv-00039-NONE-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, GRANTING IN
PART AND DENYING IN PART
PLAINTIFF’S MOTION TO AMEND, AND
DIRECTING CLERK OF COURT TO FILE
THRID AMENDED COMPLAINT

(Doc. Nos. 76, 82)

Plaintiff Keith Robert Lugo is a state prisoner proceeding *pro se* in a civil rights action 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 March 12, 2021, the assigned magistrate judge issued findings and recommendations recommending that plaintiff’s motion to amend his complaint be granted in part and denied in part. (Doc. No. 82.) The findings and recommendations were served on the parties and contained notice that objections were due within fourteen (14) days. (*Id.* at 8.) More than fourteen days have passed since the findings and recommendations were served, and no objections have been filed.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations issued on March 12, 2021 (Doc. No. 82), are adopted in full;
2. Plaintiff's motion to amend is granted with respect to adding defendants Minnehan, G. Lucas, C. Duree, J. Castillo, R. Perez, R. Vasquez, and G. Vasquez in their individual capacities for violation of plaintiff's right under the First Amendment to send and/or receive mail;
3. Plaintiff's motion to amend is denied with respect to adding claims against defendants Minnehan, G. Lucas, C. Duree, J. Castillo, R. Perez, R. Vasquez, and G. Vasquez in their official capacities; denied with respect to adding CDCR as a defendant, and denied with respect to adding a claim for denial of access to the courts;
4. The Clerk of Court is directed to file the third amended complaint which was lodged on February 5, 2021 (Doc. No. 79); and
5. The matter is referred back to the magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: April 19, 2021


UNITED STATES DISTRICT JUDGE