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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AZHAR LAL,

 Plaintiff,

 v.

FELKER, et al.,

 Defendants.

No. 2:07-cv-2060-KJM-EFB P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 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 October 18, 2012, the magistrate judge filed findings and recommendations, which were served on the parties and which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. On August 16, 2013, additional findings and recommendations were also served on the parties. After an extension of time, plaintiff has filed objections to the August 16 findings and recommendations.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 18, 2012 and August 16, 2013, are adopted in full;

2. Defendant Baltzer, Barton, Callison, Carter, Cullison, Garrison, Miller, and Yeager’s motion for summary judgment on plaintiff’s Eighth Amendment claims (ECF No. 166) is granted;

3. Plaintiff’s September 19, 2012 motion (ECF 174) construed as a motion for preliminary injunction is denied.

4. This action proceeds on plaintiff’s First Amendment retaliation claims against defendants Baltzer, Barton, Callison, Carter, Cullison, Garrison, Miller, and Yeager, and on plaintiff’s First and Eighth Amendment claims against defendant Flores; and

5. Plaintiff’s motion for default judgment against defendant Flores (ECF Nos. 178, 190, 191) is denied without prejudice.

So ordered.

DATED: September 30, 2013.


UNITED STATES DISTRICT JUDGE