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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES EVANS,

Plaintiff,

No. 2:09-cv-0292 WBS JFM (PC)

vs.

FELKER, et al.,

Defendants.

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 August 15, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the 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 entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed August 15, 2011, are adopted in full;

3 2. Defendants' November 30, 2010 motion for summary judgment is granted as
4 to plaintiff's claim against defendants Singh and Telford and denied as to plaintiff's Eighth
5 Amendment claim of excessive force against defendants Terrazas and Nuehring; and

6 3. This matter is referred back to Magistrate Judge John F. Moulds for further
7 proceedings.

8 DATED: September 19, 2011

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10 WILLIAM B. SHUBB
11 UNITED STATES DISTRICT JUDGE

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