

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

ROBERT WILLIS,

Plaintiff,

No. CIV S-09-0342 MCE DAD P

vs.

R. WEEKS,

Defendant.

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 June 18, 2010, 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 twenty-one days. Neither party has filed objections to the findings and recommendations.

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

////

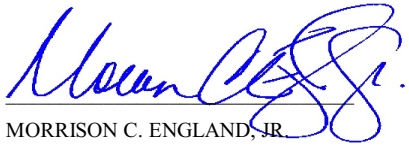
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1. The findings and recommendations filed June 18, 2010, are adopted in full;

2. Defendant's motion to dismiss plaintiff's complaint as untimely (Doc. No. 12) is denied without prejudice to defendant reasserting the statute of limitations defense in a motion for summary judgment; and

3. Defendant is directed to file an answer within thirty days of the date of this order.

Dated: July 14, 2010



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE