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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

K. JAMEL WALKER,  
  
  Plaintiff,  
  
  v.  
  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS, et al.,  
  
  Defendant.

No. 2: 09-cv-0569 WBS KJN P

AMENDED 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 February 26, 2018, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 86.) On March 16, 2018, plaintiff was granted a ten days extension of time to file his objections. (ECF No. 88.)


On March 30, 2018, the undersigned issued an order adopting the findings and recommendations and judgment was entered. (ECF Nos. 90, 91.) The March 30, 2018 order stated that plaintiff did not file objections. (ECF No. 90.) However, pursuant to the mailbox rule, plaintiff filed timely objections on March 23, 2018. (ECF No. 89.)

1 Good cause appearing, the judgment is vacated and the undersigned considers plaintiff's  
2 objections. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304,  
3 this court has conducted a de novo review of this case. Having carefully reviewed the entire file,  
4 the court finds the findings and recommendations to be supported by the record and by proper  
5 analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The March 30, 2018 order and judgment (ECF Nos. 90, 91) are vacated;
- 8 2. The findings and recommendations filed February 26, 2018 (ECF No. 86) are adopted  
9 in full; and
- 10 3. Defendants' motion for summary judgment (ECF No. 60) is granted.

11 Dated: April 11, 2018

12   
13 WILLIAM B. SHUBB  
14 UNITED STATES DISTRICT JUDGE

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