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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HOWARD SCOTT,
Plaintiff,
v.
M. McDONALD, et al.,
Defendants.

No. 2:09-cv-0851-MCE-EFB P

ORDER

Plaintiff, a state prisoner proceeding pro se,¹ 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 1, 2014, the magistrate judge filed findings and recommendations herein, ECF No. 150, 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. Defendants Betti and Barron have filed objections to the findings and recommendations.

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¹ The magistrate judge appointed counsel to assist Plaintiff on August 1, 2014. See ECF No. 150. However, as of October 7, 2014, no appearance has been filed by counsel on behalf of Plaintiff.

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


5 Accordingly:

6 1. The findings and recommendations filed August 1, 2014, ECF No. 150, are
7 ADOPTED IN FULL; and

8 2. Defendants Betti and Barron's motion to dismiss, ECF No. 143, is DENIED.

9 IT IS SO ORDERED.

10 Dated: October 14, 2014

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13 MORRISON C. ENGLAND, JR., CHIEF JUDGE
14 UNITED STATES DISTRICT COURT
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