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

WILLIE BRIDGES,

Plaintiff,

No. 2:09-cv-0940 TLN DAD P

vs.

SUZAN L. HUBBARD, 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 July 17, 2013, 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. 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:

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1 1. The findings and recommendations filed July 17, 2013, are adopted in full;
2 2. Defendants' motion for summary judgment (Doc. No. 91) is granted in part
3 and denied in part as follows:

4 a. Defendants' motion for summary judgment based on the statute of
5 limitations is denied;

6 b. Defendants' motion for summary judgment on plaintiff's conspiracy
7 claim is granted;

8 c. Defendants' motion for summary judgment on plaintiff's retaliation
9 claim against defendant Davey is denied;

10 d. Defendants' motion for summary judgment on plaintiff's due process
11 claims is denied as unnecessary; and

12 e. Defendants' motion for summary judgment based on the affirmative
13 defense of qualified immunity is denied.

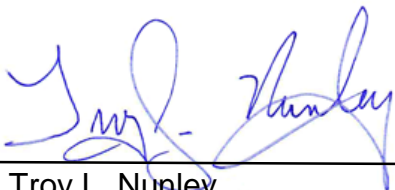
14 3. Plaintiff's Eighth Amendment Cruel and Unusual Punishment claim is
15 dismissed for failure to state a claim;

16 4. Defendants Crandall, Ivceovich, Johnson, Marquez, Marsh, Marshall, and
17 Wong are dismissed from this action; and

18 5. This matter is referred back to the magistrate judge for further proceedings on
19 plaintiff's retaliation claim against defendant Davey.

20 DATED: September 13, 2013

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Troy L. Nunley
United States District Judge