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

MARIO NAVARRO,

Plaintiff,

No. 2:09-cv-1878-KJM-KJN-P

vs.

DEBRA HERNDON, 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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 7, 2012, the magistrate judge filed supplemental findings and recommendation, 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 filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are received de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir.

1 1983). Having carefully reviewed the file, the court finds the findings and recommendations to
2 be supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The supplemental findings and recommendations filed December 7, 2012, are
5 adopted in full.

6 2. This action shall proceed on plaintiff's First Amendment denial of access
7 claims against defendants Grannis and O'Brian, as well as the claims and defendants previously
8 found cognizable by the undersigned by order filed September 30, 2011.¹

9 DATED: March 26, 2013.

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11 _____
12 UNITED STATES DISTRICT JUDGE
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22 _____
23 ¹ The undersigned previously ruled that this action shall proceed on the following claims
(Dkt. No. 79 at 2):

- 24 • Plaintiff's First, Eighth and Fourteenth Amendment claims against
25 defendants Kernan, Walker, Baxter, Baker, Sclafani, and Morrow.
26 • Plaintiff's First Amendment retaliation claim against defendants Grannis and
O'Brian.