

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

TYRONE MORGAN,

Plaintiff,

No. 2: 09-cv-2155 WBS KJN P

vs.

JOHN W. HAVILAND, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel with an action brought pursuant to Title II of the Americans with Disabilities Act. 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 November 9, 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

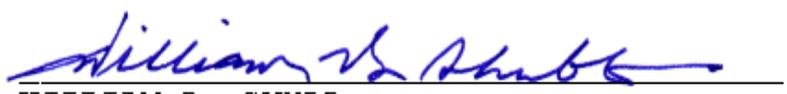
1. The findings and recommendations filed November 9, 2010 are adopted in full;

2. Defendants' motion to dismiss (Dkt. No. 18) is denied as to plaintiff's request for money damages;

3. Defendants' motion to dismiss (Dkt. 18) is granted as to plaintiff's request for equitable relief;

4. Within twenty days of the date of this order defendants shall answer the complaint.

DATED: December 21, 2010



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

mor2155.jo