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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, 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 December 9, 2011, 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. Defendants have filed objections to the findings and recommendations.

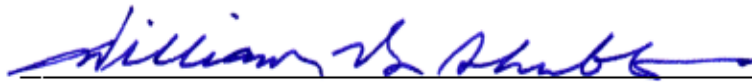
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

1 In their objections, defendants request an opportunity to file a second dispositive
2 motion. The time for filing dispositive motions is closed. (See Dkt. Nos. 26, 55.) A request to
3 file a second dispositive motion should be addressed to the magistrate judge.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations filed December 9, 2011 are adopted in full;
- 6 2. Plaintiff's summary judgment motion (Dkt. No. 46) is denied; and
- 7 3. Defendant's summary judgment motion (Dkt. No. 56) is denied.

8 DATED: January 19, 2012

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11 WILLIAM B. SHUBB

12 UNITED STATES DISTRICT JUDGE
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