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

JOHN GREEN,

Plaintiff,

No. CIV S-10-1424 JAM EFB P

vs.

R. MIRANDA, 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 August 22, 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 fourteen days. Defendants have filed objections to the findings and recommendations.¹

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule

¹ To the extent that defendants' objections raise arguments that were not raised before the magistrate judge, such arguments are disregarded. Defendants are permitted to raise these arguments in their motion for summary judgment.

1 304, this court has conducted a de novo review of this case. Having carefully reviewed the
2 entire file, the court finds the findings and recommendations to be supported by the record and by
3 proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. The findings and recommendations filed August 22, 2011, are adopted in full;

6 and

7 2. Defendants' motion to dismiss is granted as to plaintiff's access to courts claim
8 and denied as to plaintiff's eighth amendment and due process claims.

9 DATED: November 21, 2011

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11 /s/ John A. Mendez
12 UNITED STATES DISTRICT JUDGE
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