

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

ANDRE T. CARR,

Plaintiff,

No. 2:11-cv-2288 MCE DAD (PC)

vs.

MATTHEW CATE,

Defendant.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil action on a form civil rights complaint pursuant to 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 12, 2011, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff 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
2 304, this court has conducted a *de novo* review of this case. Having carefully reviewed the entire
3 file including the objections, the Court finds the December 12, 2011, findings and
4 recommendations supported by the record and by the magistrate judge's analysis. Accordingly,
5 IT IS HEREBY ORDERED that:

6 1. The findings and recommendations filed December 12, 2011 (ECF No. 12), are
7 ADOPTED in full;

8 2. This action is DISMISSED without prejudice, see Heck v. Humphrey, 512
9 U.S. at 486-87; and

10 3. The Clerk of the Court is directed to close this case.

11
12 Dated: January 11, 2012

13 
14 _____
15 MORRISON C. ENGLAND, JR.
16 UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23
24
25
26