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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EZEQUIEL ROMO,
Plaintiff,
v.
MATTHEW CATE, et al.,
Defendants.

No. 2:11-cv-2898 GEB DAD P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983 and state law. 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 July 24, 2015, the magistrate judge filed findings and recommendations that were served on all parties and contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No 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:

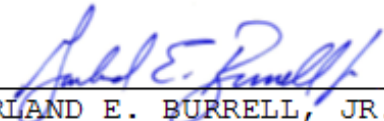
1. The findings and recommendations filed July 24, 2015, are adopted in full.

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2. The motion to dismiss (ECF No. 59), which the court treats as a motion for summary judgment under Federal Rules of Civil Procedure 12(d) and 56 is denied.

Dated: August 24, 2015



GARLAND E. BURRELL, JR.
Senior United States District Judge