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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE GONZALEZ, JR.,
Plaintiff,
v.
CATE, et al.,
Defendants.

No. 2:11-cv-3196-GEB-EFB P

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 January 8, 2015, 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.

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.

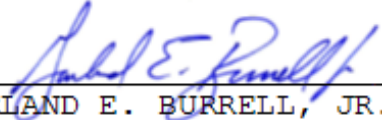
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 8, 2015, are adopted in full;
2. Plaintiff's motion for leave to file a third amended (ECF No. 49) is granted;
3. Defendant's motion to dismiss plaintiff's SAC (ECF No. 35) is denied; and
4. Plaintiff is granted thirty (30) days from the date of service of any order adopting this recommendation to file a third amended complaint that complies with Local Rule 220.¹

Dated: February 26, 2015



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

¹ Plaintiff need not file another amended complaint. His proposed third amended complaint was filed on February 4, 2015, and will be screened by the magistrate judge in due course.