

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
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BURCH MICHAEL BOWEN,
Plaintiff,
v.
MATTHEW CATE, et al.,
Defendants.

No. 2:12-cv-1519 MCE AC 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 June 3, 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. ECF No. 62. Neither 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 June 3, 2015 (ECF No. 62) are ADOPTED IN FULL.

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
27
28


2. Plaintiff's claims for prospective injunctive relief and his state claims are DISMISSED without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

3. Defendant Beard is DISMISSED from this action because no claims remain against him.

4. Defendants Boparai, Carrick, Chapnick, Conanan, McAlpine, McElroy, Millner, Shadday, and Swarthout are ordered to answer the remaining claims within thirty (30) days from the electronic filing of this order.

IT IS SO ORDERED.

Dated: July 6, 2015


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT