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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NAM BA NGUYEN,  
Plaintiff,  
v.  
CALIFORNIA PRISON  
HEALTHSERVICE, et al.,  
Defendants.

No. 2:13-cv-963-MCE-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 August 3, 2016, 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. 48. Neither party has filed objections to the findings and recommendations. Plaintiff filed his amended complaint on August 29, 2016. ECF No. 50.

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:

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1. The findings and recommendations filed August 3, 2016 (ECF No. 48), are ADOPTED IN FULL;

2. Defendant Elam's motion to dismiss (ECF No. 32) is GRANTED with leave to amend; and

3. The portion of the magistrate judge's August 3, 2016 findings and recommendations that recommended Plaintiff be granted 30 days to file his amended complaint is not adopted as moot.

IT IS SO ORDERED.

Dated: September 27, 2016

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE