UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH POPE,

Plaintiff,

v.

BLOUSER,

Defendant.

No. 2:13-cv-1896 KJM DAD 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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 4, 2015, the magistrate judge filed findings and recommendations, which were served on all parties and contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations and defendant has filed a response to plaintiff's objections.

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 file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

The court writes separately to note that both parties also address the magistrate judge's order granting plaintiff's motion to extend the discovery cut-off and extending the deadlines for

completion of discovery and filing dispositive motions. This court will not address the issues related to that order, which lie in the sound discretion of the magistrate judge. This order is without prejudice to the right of any party to seek reconsideration of the magistrate judge's order in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 4, 2015, are adopted in full.

2. Plaintiff's request for an order requiring CDCR to allow plaintiff to place non-collect phone calls, construed by the court as a motion for preliminary injunction, is denied.

DATED: October 7, 2015.

UNITED STATES DISTRICT JUDGE