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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK LEE DEARWESTER,

 Plaintiff,

 v.

SACRAMENTO COUNTY SHERIFF'S
DEPARTMENT,

 Defendant.

No. 2:13-cv-02064-MCE-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 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On June 12, 2015, the magistrate judge filed Findings and Recommendations herein (ECF No. 32), which were served on all parties and which contained notice that any objections to the Findings and Recommendations were to be filed within fourteen days. On July 7, 2015, Plaintiff filed objections to the Findings and Recommendations. ECF No. 33.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the Court has conducted a de novo review of this case. Having carefully reviewed the entire file, including Plaintiff's objections, 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 June 12, 2015 (ECF No. 32) are ADOPTED IN FULL;

2. Defendant's Motion to Dismiss (ECF No. 20) is GRANTED in part and DENIED in part. Specifically:

- a. Defendant's Motion is GRANTED as to the claims Plaintiff attempts to assert on behalf of third parties;
- b. Defendant's Motion is DENIED as to Plaintiff's First Amendment claim;
- c. Defendant's Motion is GRANTED as to Plaintiff's request for injunctive relief.

3. Defendant is directed to file, within thirty (30) days of the date this Order is electronically filed, an answer to Plaintiff's First Amendment claim for damages based on the postcard-only mail policy at the Sacramento County Main Jail.

IT IS SO ORDERED.

Dated: July 17, 2015


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