UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

EARL D. SMITH, Plaintiff, v. R. RODRIGUEZ, et al., Defendants.	No. 2:13-cv-2192 JAM 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 December 23, 2014, 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. 36. 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 December 23, 2014, are adopted in full; and

2. The motion to dismiss, ECF No. 20, filed by defendants Rodriguez and Singh is denied.

DATED: March 5, 2015

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE

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