1 2 3 4 5 6 7 8 9 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA 10 11 12 KRISTIN HARDY, No. 2:13-cv-2514-GEB-CMK 13 Plaintiff, 14 **ORDER** v. 15 D. SISSON, et al., 16 Defendant. 17 18 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 19 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern 20 District of California local rules. 21 On November 10, 2016, the Magistrate Judge filed findings and recommendations 22 herein which were served on the parties and which contained notice that the parties may file 23 objections within a specified time. Objections to the findings and recommendations have been filed. 24 25 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 26 304(f), this court has conducted a de novo review of this case. Having carefully reviewed the 27 entire file, the court finds the findings and recommendations to be supported by the record and by 28 proper analysis. 1

full;

Accordingly, IT IS HEREBY ORDERED that:

- 1. The findings and recommendations filed November 10, 2016, are adopted in
- 2. Plaintiff's motion to strike defendant's affirmative defenses (Doc. 30) is granted in part and denied in part;
- 3. Defendant's second affirmative defense for failure to allege facts sufficient to state a claim upon which relief can be granted is stricken; and
- 4. No other affirmative defense is stricken.

Dated: September 29, 2017

Senior United States District Judge