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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   TANYA MCDANIEL,   No. 2:13-cv-2653 MCE AC PS

12   Plaintiff,

13   v.   ORDER

14   DANIEL POWELL, ET AL.,

15   Defendants.

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17   Plaintiff is proceeding in this action in pro per. The matter was referred to a United States

18   Magistrate Judge pursuant to Local Rule 302(c)(21).

19   On October 23, 2014, the magistrate judge filed findings and recommendations herein

20   which were served on all parties and which contained notice to all parties that any objections to

21   the findings and recommendations were to be filed within fourteen days. ECF No. 25. Plaintiff

22   has filed objections to the findings and recommendations. ECF No. 27.

23   In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this

24   court has conducted a de novo review of this case. Having carefully reviewed the entire file, the

25   court finds the findings and recommendations to be supported by the record and by proper

26   analysis.

27   Accordingly, IT IS HEREBY ORDERED that:

28   1. The findings and recommendations filed October 23, 2014, are adopted in full;

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1   2. Defendants' motion to dismiss, ECF No. 13, is granted;

2   3. Plaintiff's sixth claim based on the alleged 2007 assault is dismissed with prejudice as

3   time barred;

4   4. Plaintiff is granted leave to amend the remaining claims against defendants; should she

5   choose to do so any amended pleading must be filed not later than twenty (20) days following the

6   date this Order is electronically filed;

7   5. Failure to file an amended complaint within the time period established above will

8   result in this action being dismissed in its entirety, with prejudice and without further notice; and

9   5. Plaintiff's motions to reinstate her amended complaint, ECF Nos. 20, 24, are denied.

10 IT IS SO ORDERED.

11 Dated: November 20, 2014

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

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