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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GUILLERMO CRUZ TRUJILLO,
Plaintiff,
v.
HITHE, et al.,
Defendants.

No. 2:14-cv-0584 JAM AC P

ORDER

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, 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 September 7, 2016, 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. 73. 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 September 7, 2016, are adopted in full;

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2. Defendant's motion to dismiss (ECF No. 53) is denied without prejudice to the filing of a motion for summary judgment on the same matter.

DATED: October 27, 2016

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE