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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICARDO PIMENTEL,  
Plaintiff,  
v.  
JEFFREY BEARD, et al.,  
Defendants.

No. 2:14-cv-1192 MCE DB 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 13, 2017, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not 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 June 13, 2017 (ECF No. 47) are ADOPTED IN FULL; and

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2. All claims in the second amended complaint, except the claims for retaliation and for violation of plaintiff's First Amendment right of access to the courts against defendant Fleming as described in the June 13, 2017 order, are DISMISSED without prejudice.

IT IS SO ORDERED.

Dated: October 24, 2017

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE