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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HILLIARD WILLIAMS,
Plaintiff,
v.
JAROM A. DASZKO, et al.,
Defendants.

No. 2:14-cv-1248 KJM 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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 8, 2016, the magistrate judge filed findings and recommendations, 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. 37. Neither party has filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).


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1 Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis. Accordingly, IT IS HEREBY ORDERED
3 that:

- 4 1. The findings and recommendations filed February 8, 2016, are adopted in full.
- 5 2. The motion for summary judgment filed by defendant Mathis, ECF No. 19, is denied.
- 6 3. The motion for summary judgment filed by defendant Daszko, ECF No. 21, is denied.
- 7 4. This action shall proceed on plaintiff's Eighth Amendment claims against defendants
8 Mathis and Daszko.
- 9 5. This case is referred back to the assigned magistrate judge for further pretrial
10 proceedings.

11 DATED: March 14, 2016.

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15 UNITED STATES DISTRICT JUDGE
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