1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA 8 9 10 PETER T. HARRELL, No. 2:14-cv-01595-KJM-GGH 11 Plaintiff, 12 **ORDER** v. 13 HORNBROOK COMMUNITY SERVICES DISTRICT, et al., 14 Defendants. 15 16 17 Plaintiff appears in this civil rights matter pro se and informa pauperis. 18 On February 15, 2018 the magistrate judge issued findings and recommendations 19 recommending a grant of defendants' motion for attorneys' fees in the amount of \$24,629.50 and 20 costs of \$2,987.67. ECF No. 190. The parties were given 21 days to file objections to the 21 recommendations and warned that a failure to do so might result in a waiver of their right to 22 appeal this court's order. Plaintiff Peter T. Harrell and defendant Roger Gifford filed objections 23 on March 5, 2018, ECF No. 192, and March 12, 2018, ECF 193, respectively. 24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, 25 this court has conducted a de novo review of this matter. Having reviewed the file and the 26 magistrate judge's findings and recommendations the court ADOPTS the findings and 27 recommendations AS MODIFIED: 28 ///// 1

After conducting a de novo review of the case, including a review of the magistrate judge's findings and recommendations (ECF No. 190), the supplemental Muñoz declaration (ECF No. 185), and the Muñoz declaration as to costs (ECF No. 165-2), the court notes two arithmetic errors: one in the calculation of fees, and one in the calculation of costs. The court concludes the magistrate judge intended to award \$24,929.50 in fees. Compare ECF No. 190 at 14-16 (individual sums totaling \$24,929.50 in fees), with id. at 2, 16 (recommending award of \$24,629.50 in fees); see generally Muñoz Suppl. Decl., ECF No. 185. Additionally, the court concludes the magistrate judge intended to award \$2,978.67 in costs. Compare ECF No. 190 at 2, 16 (recommending award of \$2,987.67 in costs), with Muñoz Decl. ¶ 20 (individual sums totaling \$2,978.67 in costs, consistent with overall request). The court also notes two typographical errors that do not affect the analysis reflected in the findings and recommendations: The date of the Wages v. I.R.S. decision cited at page 13, lines 13-14, should be 1990, not 1992. And the year identified at page 15, line 17, should read 2016, not 2017. Accordingly, IT IS HEREBY ORDERED that attorneys' fees in the amount of \$24,929.50 and costs in the amount of \$2,978.67 are awarded to defendant Hornbrook and against plaintiff. IT IS SO ORDERED. DATED: July 24, 2018.