1		
2		
3		
4		
5		
6		
7		
8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
10		
11	RICHARD HART,	No. 2:14-cv-2732 JAM CKD (TEMP) P
12	Plaintiff,	
13	v.	<u>ORDER</u>
14	KIMBERLYN YOUNG, et al.,	
15	Defendants.	
16		
17	Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief	
18	under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to	
19	28 U.S.C. § 636(b)(1)(B) and Local Rule 302	2.
20	On December 18, 2015, the magistrate judge filed findings and recommendations herein	
21	which were served on plaintiff and which contained notice to plaintiff that any objections to the	
22	findings and recommendations were to be file	ed within fourteen days. Plaintiff has not filed
23	objections to the findings and recommendations.	
24	The court presumes that any findings of fact are correct. See Orand v. United States, 602	
25	F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.	
26	See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having	
27	reviewed the file, the court finds the findings and recommendations to be supported by the record	
28	and by the magistrate judge's analysis.	
		1

1	Accordingly, IT IS HEREBY ORDERED that:
2	1. The findings and recommendations filed December 18, 2015, are adopted in full; and
3	2. Warden Swarthout is dismissed from this action.
4	DATED: March 25, 2016
5	/s/ John A. Mendez
6	UNITED STATES DISTRICT COURT JUDGE
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	2