1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 ROGER GIFFORD, No. 2:16-CV-0596-JAM-DMC 12 Plaintiff, 13 **ORDER** v. 14 HORNBROOK FIRE PROTECTION DISTRICT, et al., 15 Defendants. 16 17 Plaintiff, who is proceeding pro se, brings this civil action. The matter was 18 19 referred to a United States Magistrate Judge pursuant to Eastern District of California local rules. 20 On October 1, 2019, the Magistrate Judge filed findings and recommendations 21 herein which were served on the parties and which contained notice that the parties may file objections within the time specified therein. Timely objections to the findings and 22 23 recommendations have been filed. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 24 25 304(f), this court has conducted a <u>de novo</u> review of this case. Having carefully reviewed the 26 entire file, the court finds the findings and recommendations to be supported by the record and by 27 proper analysis. 28 /// 1

1		Accord	dingly, IT IS HEREBY ORDERED that:
2		1.	The findings and recommendations filed October 1, 2019, are adopted in
3	full;		
4	,	2.	Defendants' motion for judgment on the pleadings (ECF No. 31) is granted
5	in part and deni	ied in 1	part;
6		3.	Plaintiff's first amended complaint is dismissed with leave to amend;
7	4	4.	Plaintiff's motion to strike defendants' answer to the first amended
8	complaint (ECF No. 30) is denied as moot and without prejudice to challenging defendants'		
9	answer to any s	second	amended complaint; and
10	:	5.	Plaintiff shall file a second amended complaint within 30 days of the date
11	of this order.		
12	DATED: D	1	10, 2010
13	DATED: Dece	ember	
14			/s/ John A. Mendez
15			UNITED STATES DISTRICT COURT JUDGE
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