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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MILORAD OLIC,  
  
  Plaintiff,  
  
                        v.  
  
JEFFREY BEARD, et al.,  
  
  Defendants.

No. 2:16-cv-0720 JAM 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 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 31, 2022, the magistrate judge filed findings and recommendations herein 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 twenty-one days. ECF No. 73. Plaintiff has filed objections to the findings and recommendations (ECF No. 74), to which defendants have responded (ECF Nos. 75, 76).

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 31, 2022 (ECF No. 73), are adopted in full;
2. Defendants’ motions for summary judgment (ECF Nos. 55, 58) are granted;
3. The complaint is dismissed for failure to exhaust remedies as to the claims against both defendants and alternatively on the merits as to the retaliation claim against defendant Lizarraga;
4. Judgment is entered for defendants; and
5. The Clerk of Court is directed to close this case.

Dated: July 13, 2022

/s/ John A. Mendez  
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THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT COURT JUDGE