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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARTHUR RAY DEERE, SR.,  
Plaintiff,  
v.  
CDC MEDICAL STAFF, et al.,  
Defendants.

No. 2:16-cv-1695-JAM-EFB 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 February 20, 2019, 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 fourteen days. Plaintiff has filed objections to the findings and recommendations.

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 February 20, 2019, are adopted in full;

2. Plaintiff’s “Motion to Reinstate IFP Status and Continue Civil Action,” (ECF No. 38) is construed as both a motion for relief from judgment pursuant to Rule 60(b) of the Federal Rules of Civil Procedure and an opposition to defendants’ Motion to Revoke Plaintiff’s In Forma Pauperis Status (ECF No. 33);

3. Plaintiff’s Rule 60(b) motion (ECF No. 38) is granted; and

4. Defendants’ Motion to Revoke Plaintiff’s In Forma Pauperis Status (ECF No. 33) is granted to the extent that plaintiff’s in forma pauperis status is revoked and plaintiff is required to pay the \$400 filing fee within fourteen days from the date of this order and plaintiff is warned that failure to do so will result in the dismissal of this action.

So ordered.

DATED: June 10, 2019

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE