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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLOS GILBERT LAW,
Plaintiff,
v.
LVN GRIPE, et al.,
Defendants.

No. 2:16-cv-1830-GEB-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 March 23, 2018, 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. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 23, 2018, are adopted in full;

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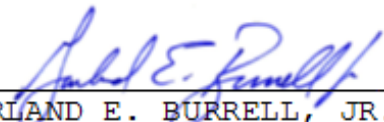
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2. Plaintiff's motions for summary judgment (ECF Nos. 81 & 83) is DENIED;

3. Defendant Gripe's motion for summary judgment (ECF No. 84) is GRANTED for failure to exhaust administrative remedies and plaintiff's claim against her be dismissed without prejudice; and

4. Defendant Rubino's motion for summary judgment (ECF No. 84) is GRANTED.

Dated: April 23, 2018



GARLAND E. BURRELL, JR.
Senior United States District Judge