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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN MOORE,
Plaintiff,
v.
G. TESLUK, et al.,
Defendants.

No. 2:16-cv-2268 GEB KJN 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 July 13, 2017, 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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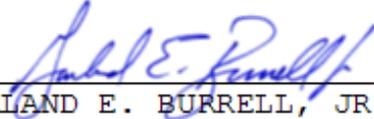
Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 13, 2017, are adopted in full;

2. Defendant Tesluk’s motion to dismiss plaintiff’s claim pursuant to California Government Code § 845.6 (ECF No. 18) is granted; and

3. Defendant Tesluk is ordered to file a response to plaintiff’s Eighth Amendment claim within twenty days of the date of this order.

Dated: August 4, 2017



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