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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RUBEN RODRIGUEZ BERNAL,  
Plaintiff,  
v.  
JEFFREY BEARD, et al.,  
Defendants.

No. 2:16-cv-2511 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 April 2, 2021, 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. 65. Both parties have filed objections to the findings and recommendations, ECF Nos. 66, 67, and responded to the other parties' objections, ECF Nos. 68, 69.

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 April 2, 2021, ECF No. 65, are adopted in full; and
2. Plaintiff’s motion for summary judgment, ECF No. 51, is denied;
3. Defendant Weeks’ motion for summary judgment, ECF No. 55, is granted in part and denied in part as follows:
  - a. Granted to the extent that plaintiff’s retaliation and conspiracy claims are predicated on the search of plaintiff’s cell, and
  - b. Otherwise denied.

DATED: June 28, 2021

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