

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FREDERICK E. LEONARD,

Plaintiff,

v.

M. THOMPSON, et al.,

Defendants.

No. 2:16-cv-2767 KJM DB 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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 4, 2020, the magistrate judge filed findings and recommendations, 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. 61.) Plaintiff has filed objections to the findings and recommendations. (ECF No. 62.) Defendants have responded to the objections and plaintiff has filed a reply. (ECF Nos. 63, 64.)

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 reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.


//////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 4, 2020, are adopted in full;
2. Defendant Metzger is dismissed from this action;
3. Defendant Clemente's motion for summary judgment (ECF No. 41) is granted;
4. Defendant Thompson's motion for summary judgment (ECF No. 42) is granted; and
5. Plaintiff's cross-motion for summary judgment (ECF No. 46) is denied.

DATED: September 4, 2020.



CHIEF UNITED STATES DISTRICT JUDGE