UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL POWELL,

Plaintiff,

v.

TOMERY DARLING,

Defendant.

No. 2:17-cv-0392 KJM DB PS

ORDER

The parties are proceeding pro se with the above-entitled action. The matter was referred to a United States Magistrate Judge as provided by Local Rule 302(c)(21).

On May 23, 2017, 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 fourteen days after service of the findings and recommendations. Defendant 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 reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 23, 2017 (ECF No. 12) are adopted in full;

2. Defendant's February 22, 2017 motion to proceed in forma pauperis (ECF No. 2) is denied;

3. Defendant's May 31, 2017 motions to dismiss (ECF Nos. 17–18) are denied as moot; and

4. This matter is summarily remanded to the Placer County Superior Court.

DATED: August 3, 2017.

UNITED STATES DISTRICT JUDGE

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