1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 JAIME BELTRAN, No. 2:17-cv-01520-TLN-AC 12 Plaintiff. 13 **ORDER** v. 14 ERIC R. BAKER, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On March 13, 2023, the magistrate judge filed findings and recommendations herein 21 which were served on all parties and which contained notice to all parties that any objections to 22 the findings and recommendations were to be filed within fourteen days. (ECF No. 125.) Defendant Guerra has filed objections to the findings and recommendations (ECF No. 126), to 23 24 which Plaintiff has responded (ECF No. 127). No other parties have filed objections. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this 25 26 Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the 27 Court finds the findings and recommendations to be supported by the record and by proper 28 analysis. 1

Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed March 13, 2023 (ECF No. 125), are ADOPTED IN FULL; 2. Defendant Guerra's motion for summary judgment (ECF No. 100) is DENIED; 3. Defendants Cross, Tran, Swett, Baker, and Smith's motion for summary judgment (ECF No. 102) is GRANTED; 4. Defendants Cross, Tran, Swett, Baker, and Smith are DISMISSED and this action proceeds against Defendant Guerra only; 5. This matter is referred back to the assigned magistrate judge for all further pretrial proceedings. DATE: May 10, 2023 Troy L. Nunley United States District Judge