

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

ERNEST LEE COX,

Plaintiff,

v.

SCOTT KERNAN, et al.,

Defendants.

No. 2:19-cv-1637 JAM 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 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 26, 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 days. (ECF No. 30.) Plaintiff filed objections to the findings and recommendations. (ECF No. 31.) Defendants filed a response to plaintiff's objections (ECF No. 32) and plaintiff filed a reply to defendants' response (ECF No. 33).

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

///

1 court finds the findings and recommendations to be supported by the record and by proper
2 analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed August 26, 2021 (ECF No. 30), are
5 **ADOPTED** in full;
6 2. Defendant's motion to dismiss (ECF No. 21) is **GRANTED**; and
7 3. The Clerk of Court is **DIRECTED** to close this case.

8

9

10 Dated: November 22, 2021

/s/ John A. Mendez

11

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE

12

13

14

15

16

17

/cox1637.805

18

19

20

21

22

23

24

25

26

27

28