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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AUMINTRIUS DAMOUR GUNN,
Plaintiff,
v.
R. OLMSTEAD, et al.,
Defendants.

No. 2:20-cv-2232 WBS AC P

ORDER

Plaintiff, a former county 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 November 10, 2021, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. ECF No. 16. Plaintiff has not filed objections to the findings and recommendations [as of December 13, 2021].

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:


1. The findings and recommendations filed November 10, 2021, ECF No. 16, are adopted in full.

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2. For the reason set forth in the August 9, 2021 Screening Order (ECF No. 13), plaintiff's state court tort claims and all claims against defendants Gardner, Olmstead, and Stanton Correctional Facility are dismissed without prejudice.

3. This matter is referred back to the assigned magistrate judge for all further pretrial proceedings.

Dated: December 20, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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