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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

STANFORD P. BRYANT

vs.

TIM OCHOA, Warden; et al.

Plaintiff,

Defendants.

CASE NO. 07cv0200 JM(PCL)

AMENDED ORDER ADOPTING
REPORT AND
RECOMMENDATION RE:
GRANTING DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT

On December 17, 2010, the court issued an Order Adopting Report and Recommendation re: Granting Defendants' Motion for Summary Judgment ("Order"). (Ct. Dkt. 206). Subsequent to the issuance of the Order, the court received Objections from Plaintiff. Under the prisoner mailbox rule, see Miles v., Prunty, 187 F.3d 1104, 1106 n.2 (9th Cir. 1999), the Objections were timely. This Amended Order addresses the Objections.

The court notes that Plaintiff raises essentially the same arguments raised in opposition to Defendants' motion for summary judgment. In broad brush, Plaintiff argues that the R & R sets forth an "erroneous review of the Plaintiff's version of the facts, in that the court overlooked and/or disregarded Plaintiff's version of the facts and chose to believe Defendant's [] version over Plaintiff's version." (Objections at pp. 2-12). With respect to the majority of the 21 Defendants, Plaintiff fails to cite particular evidence to raise a genuine issue of material fact. Such generalized and conclusory arguments are insufficient to satisfy Plaintiff's summary judgment burden. See Taylor v. List, 880 F.2d 1040, 1045 (9th Cir. 1989).

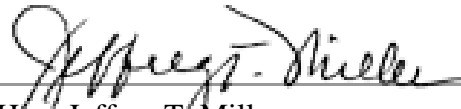
Furthermore, where specific evidence is cited in opposition to Defendants' summary judgment

1 motion, the court notes that certain portions of the record are taken out of context or fail to address
2 the thorough analysis of the factual record as set forth in the R & R. Rather than address the factual
3 record and legal arguments a second time, the court specifically incorporates Magistrate Judge Lewis's
4 thorough and thoughtful R & R.

5 In sum, the R & R is adopted in its entirety and the court enters judgment in favor of
6 Defendants and against Plaintiff.

7 **IT IS SO ORDERED.**

8 DATED: January 4, 2011

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10 _____
11 Hon. Jeffrey T. Miller
12 United States District Judge

11 cc: All parties

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