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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 ANTHONY PAUL MAXWELL,

12 Plaintiff,

13 v.

14 RYON MITCHELL, et al.,

15 Defendants.
16

No. 2:15-CV-0015-JAM-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to
19 Eastern District of California local rules.

20 On March 22, 2021, the Magistrate Judge filed findings and recommendations
21 herein which were served on the parties and which contained notice that the parties may file
22 objections within the time specified therein. No objections to the findings and recommendations
23 have been filed.¹

24 The court has reviewed the file and finds the findings and recommendations to be
25 supported by the record and the Magistrate Judge's analysis.
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27 ¹ The Court initially entered summary judgment in favor of Defendants on April 27, 2021. See ECF
28 No. 72. On September 1, 2021, the Court granted Plaintiff's motion for relief from judgment and re-opened this
action to allow Plaintiff to file objections. See ECF No. 76. Despite having been granted this relief, Plaintiff has still
not filed any objections to the March 22, 2021, findings and recommendations.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 22, 2021, are adopted in full;
2. Defendants Porter and Trostle are dismissed pursuant to Federal Rule of Civil Procedure 4(m) for failure to effect timely service of process
3. The remaining Defendants' motion for summary judgment, ECF No. 61, is granted; and
4. The Clerk of the Court is directed to enter judgment and close this file.

Dated: November 4, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE