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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MORTEZA BAKHTIARI,  
Plaintiff,  
vs.  
JAMES A. YATES, et al.,  
Defendants.

Case No. 1:11-cv-00102 AWI JLT (PC)  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
ORDER DISMISSING CERTAIN CLAIMS  
AND DEFENDANTS  
(Doc. 9)

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Plaintiff is a state prisoner proceeding with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is represented by counsel. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 31, 2011, the assigned Magistrate Judge issued findings and recommendations which were served on Plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within ten days. Fourteen days have passed, and Plaintiff has not filed objections to the findings and recommendations.

The Court has conducted a de novo review of this case in accordance with 28 U.S.C. 636(b)(1) and Local Rule 302. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and proper analysis.

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1 Accordingly, it is **HEREBY ORDERED** that:

- 2 1. The findings and recommendations of the Magistrate Judge filed January 31, 2011,  
3 are adopted in full;
- 4 2. Plaintiff's inadequate medical care claims against Defendants Gonzales and Gallegos  
5 regarding the denial of prescription medication are **DISMISSED**;
- 6 3. Plaintiff's equal protection claims against Defendants Widlund, Gonzales, Gallegos,  
7 Lopez, and Hernandez are **DISMISSED**;
- 8 4. Plaintiff's conspiracy claims under 42 U.S.C. §§ 1985 and 1986 against Defendants  
9 Widlund, Gonzales, Gallegos, and Lopez are **DISMISSED**;
- 10 5. Plaintiff's claims against Defendants Yates, Fogal, and Shannon are **DISMISSED**;
- 11 6. This action shall proceed on the following claims: (1) excessive force under the  
12 Eighth Amendment against Defendants Widlund, Gonzales, Gallegos, and Lopez; (2)  
13 inadequate medical care (prescription medication) under the Eighth Amendment  
14 against Defendants Widlund and Hernandez; (3) inadequate medical care (post-  
15 altercation treatment) under the Eighth Amendment against Defendants Widlund,  
16 Lopez, Gonzales, Gallegos, and Hernandez; and (4) retaliation under the First  
17 Amendment against Defendant Gonzales; and
- 18 7. The Clerk of the Court is directed to issue summons for Defendants Widlund,  
19 Gonzales, Gallegos, Lopez, and Hernandez.
- 20

21 IT IS SO ORDERED.

22 Dated: February 15, 2011

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24 CHIEF UNITED STATES DISTRICT JUDGE