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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAHLILULLAH RAZAQ,
Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
CORRECTIONS, *et al.*,
Defendants.

Case No. 1:20-cv-01116-AWI-BAM (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
DISMISSAL OF ACTION FOR FAILURE TO
STATE A CLAIM
(Doc. No. 17)

Plaintiff Kahlilullah Razaq (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. 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 September 29, 2020, the assigned Magistrate Judge issued findings and recommendations recommending that the federal claims in this action be dismissed based on Plaintiff’s failure to state a cognizable claim upon which relief may be granted, and the Court decline to exercise supplemental jurisdiction over Plaintiff’s purported state law claims. (Doc. No. 17.) Those findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. (Id. at 10.) On November 23, 2020, following an extension of time, Plaintiff filed a second amended complaint in lieu of objections. (Doc. No. 20.)

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In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including Plaintiff's objections in the form of a second amended complaint, the Court concludes that the Magistrate Judge's findings and recommendations are supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations issued on September 29, 2020 (Doc. No. 17), are adopted in full;
2. The federal claims in this action are dismissed, with prejudice, based on Plaintiff's failure to state a cognizable claim upon which relief may be granted;
3. The exercise of supplemental jurisdiction over Plaintiff's state law claims is declined, and the state law claims are dismissed, without prejudice; and
4. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: December 7, 2020



SENIOR DISTRICT JUDGE