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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KIMBERLY R. OLSON,
Plaintiff,
v.
DARREL LEMOS, et al.,
Defendants.

No. 2:06-cv-1126-TLN-CMK

ORDER

Plaintiff, proceeding pro se, brings this civil action. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On November 20, 2015, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. (ECF No. 69.) Defendants filed timely objections to the findings and recommendations. (ECF No. 70.)


In accordance with the provisions of 29 U.S.C. § 636(b)(1)(C) and Local Rule 304(f), this Court has conducted a de novo review of the case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis. Defendants’ request for clarification as to the search and seizure claim, however, is well taken. To be clear, Plaintiff’s claim as to the legality of the search and seizure is limited to any claim she has as to items seized which were utilized in the underlying prosecution.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 20, 2014, are adopted in full;
2. Defendants’ motion to dismiss (ECF No. 64) is granted in part and denied in part;
3. All Defendants except Lemos are dismissed from this action;
4. This action shall continue against Defendant Lemos only, on the claims of violation of Plaintiff’s Fourth and Fourteenth Amendment rights for unlawful arrest and search/seizure without probable cause; and
5. Defendant Lemos shall file a response to the amended complaint within 30 days of the date of this opinion.

Dated: March 30, 2016



Troy L. Nunley
United States District Judge