

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

NORRIS LEE,)	NO. 1:02 cv 05037 LJO GSA PC
)	
Plaintiff,)	ORDER RE: FINDINGS & RECOMMENDATIONS
)	
v.)	Document # 41
)	
E. ALAMEIDA, et al.,)	
)	
Defendants.)	

Plaintiff is a state prisoner proceeding pro se in this civil rights action. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 29, 2010, [findings and recommendations](#) were entered, recommending dismissal of certain claims and defendants. Plaintiff was provided an opportunity to file objections within thirty days. On July 20, 2010, Plaintiff filed objections to the findings and recommendations. The Court has noted Plaintiff's objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 305, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and proper analysis.

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on June 29,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2010, are adopted in full; and

2. This action proceeds on the March 23, 2010, second amended complaint against Defendants Hough, Garcia and White for failure to protect Plaintiff in violation of the Eighth Amendment.

3. Plaintiff's supervisory claims and failure to train claims are dismissed, with prejudice, for failure to state a claim upon which relief may be granted under section 1983.

4. Defendants Alameida, Adams, Duncan, March, Johnson, Abbati-Harlow, Akin and Ramirez are dismissed.

IT IS SO ORDERED.

Dated: August 26, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE