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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANK GONZALES,	CASE NO. 1:06-cv-1420-AWI-MJS (PC)
Plaintiff,	ORDER ADOPTING FINDINGS AND
v.	RECOMMENDATIONS, AND DISMISSING
	CERTAIN CLAIMS AND DEFENDANTS
MATTHEW CATE, et al.,	(ECF No. 56)
Defendants.	

Plaintiff Frank Gonzales, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. 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 April 5, 2011, the Magistrate Judge filed a Findings and Recommendation herein which was served on Plaintiff and contained notice to Plaintiff that any objection to the Findings and Recommendation was to be filed within thirty days. More than thirty days have passed and Plaintiff has not filed an Objection.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) 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 by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation, filed April 5, 2011, is adopted in full;
2. This action shall proceed on Plaintiff's Third Amended Complaint, filed December 24, 2009, against Defendants Lantz, Garrison, Nichols, Deathriage, and Govea for violation of the First and Eighth Amendments, and against Defendants Garza, Franco, Mayes, Cate, Fernando, Marrujo, and Fuentes for violating the First Amendment;
3. All other claims in Plaintiff's Third Amended Complaint are DISMISSED WITH PREJUDICE for failure to state a claim upon which relief could be granted;
4. All other Defendants are DISMISSED as party-Defendants; and
5. Service shall be ordered on Defendants Lantz, Garrison, Nichols, Deathriage, Govea, Garza, Franco, Mayes, Cate, Fernando, Marrujo, and Fuentes.

IT IS SO ORDERED.

Dated: May 17, 2011



CHIEF UNITED STATES DISTRICT JUDGE