

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

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RALPH KELLY HAWTHORNE JR,	CASE NO. 1:07-cv-1101-OWW-DLB PC
Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS
v.	(Doc. 17).
KATHY MENDOZA-POWERS, et al.,	
Defendants.	

Plaintiff Ralph Kelly Hawthorne (“plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 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 72-302.

On October 7, 2008, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on plaintiff and which contained notice to plaintiff that any objection to the Findings and Recommendations was to be filed within thirty days. Plaintiff did not file a timely Objection to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), 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.

///
///
///

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The [Findings and Recommendations](#), filed October 7, 2008, is adopted in full;

3 2. This action shall proceed only against defendants Mendoza-Powers and Henry; and

4 3. Plaintiff's claims against defendants Pennywell, J. DonDiago, Rosemary Ndor, and
5 R. Braly are dismissed for failure to state any claims upon which relief may be
6 granted.

7 IT IS SO ORDERED.

8 **Dated:** April 22, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28