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

RAHN G. THOMPSON,

 Plaintiff,

 vs.

STATE OF CALIFORNIA, et al.,

 Defendants.

1:07-cv-01299-LJO-GSA-PC

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 31.)

ORDER FOR THIS ACTION TO PROCEED
ONLY ON CERTAIN CLAIMS AGAINST
DEFENDANTS TUCKER, GREEN, LEE,
HERNANDEZ, RINCON, DEATHRIDGE,
HUCKABAY, THOMPSON, AND MELENDEZ,
AND DISMISSING ALL OTHER CLAIMS AND
DEFENDANTS FOR FAILURE TO STATE
A CLAIM

/

Rahn G. Thompson (“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 302.

On April 19, 2011, Findings and Recommendations were entered, recommending that this action proceed only on certain claims against defendants Tucker, Green, Lee, Hernandez, Rincon, Deathridge, Huckabay, Thompson, and Melendez, and that all other claims and defendants be dismissed for Plaintiff’s failure to state a claim. (Doc. 31.) Plaintiff was provided an opportunity to file objections to the Findings and Recommendations within thirty days. To date, Plaintiff has not filed objections to the Findings and Recommendations, and on June 3, 2011, Plaintiff submitted documents to enable service of process to proceed upon the defendants named above. (Doc. 33.)

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this court
2 has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court
3 finds the findings and recommendations to be supported by the record and proper analysis.

4 Accordingly, THE COURT HEREBY ORDERS that:

- 5 1. The Findings and Recommendations issued by the Magistrate Judge on April 19,
6 2011, are adopted in full;
- 7 2. This action now proceeds against defendant Tucker for subjecting Plaintiff to adverse
8 conditions of confinement; against defendants Tucker, Green, Lee, Rincon, Hernandez, Deathridge,
9 and Huckabay for failing to protect Plaintiff; against defendants Tucker, Green, and Huckabay for
10 retaliating against Plaintiff; and against defendants Tucker, Thompson, and Melendez for using
11 excessive force against Plaintiff;
- 12 3. All remaining claims and defendants are dismissed from this action based on
13 Plaintiff's failure to state a claim upon which relief may be granted; and
- 14 4. Defendants RN Ms. Davis, Med Tech Mr. Chapman, and H. Martinez are dismissed
15 from this action based on Plaintiff's failure to state any claims upon which relief may be granted
16 against them.

17 IT IS SO ORDERED.

18 **Dated: June 8, 2011**

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

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