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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAVELL TYRONE PLAYER,
Plaintiff,

v.

ADAMS, et al.,
Defendants.

CASE NO. 1:07-cv-01312-OWW-DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS

(Doc. 14)

Plaintiff Lavell Tyrone Player (“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 March 30, 2009, 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), 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.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed March 30, 2009, is adopted in full;
2. This action proceed only on Plaintiff’s claims against Defendants B. Johnson and Proulx for excessive force in violation of the Eighth Amendment and against

1 Defendants Watson, Rangel, Oftedal, Miller, and Campbell for retaliation in
2 violation of the First Amendment;¹ and

3 3. Plaintiff's claims against Defendants Kavanaugh and Fields be dismissed for
4 Plaintiff's failure to state a claim upon which relief may be granted.

5 IT IS SO ORDERED.

6 **Dated:** April 30, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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27 ¹ Plaintiff also stated a cognizable claim against Defendant Felder. Plaintiff is proceeding in forma
28 pauperis in this action, and thus the United States Marshal must effect service of process on defendants. However,
Plaintiff failed to provide sufficient information for the United States Marshal to effect service, and Defendant Felder
was dismissed from this action on March 23, 2010. (Doc. 43.)