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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARRISON S. JOHNSON,

CASE NO. 1:08-cv-00640-LJO-DLB PC

Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DISMISSING
OF CERTAIN CLAIMS

v.

JOHN DOVEY, et al.,

(Doc. 20)

Defendants.

_____ /

Plaintiff Garrison Johnson (“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 April 23, 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 filed an [Objection to the Findings and Recommendations](#) on May 4, 2009.

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.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The [Findings and Recommendations](#), filed May 4, 2009, is adopted in full;
- 3 2. This action shall proceed only on Plaintiff’s claims against:
 - 4 a) defendants Dunnahoe, V. Ybarra, Cunningham, Medrano, Holguin, and
 - 5 Velasquez for excessive force in violation of the Eighth Amendment and
 - 6 retaliation in violation of the First Amendment;
 - 7 b) defendant G. Ybarra for retaliation in violation of the First Amendment;
 - 8 c) defendants Curliss, J. Gonzales, and K. Powell for deliberate indifference to
 - 9 a serious medical need in violation of the Eighth Amendment; and
- 10 3. Plaintiff’s claims against defendants Dovey, Sullivan, F. Gonzalez, Carrasco,
- 11 Zanchi, Magallanes, and Cannon are dismissed for Plaintiff’s failure to state a claim
- 12 upon which relief may be granted.

13
14 IT IS SO ORDERED.

15 **Dated: July 9, 2009**

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