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

RICHARD KINDRED,
Plaintiff,
vs.

1:08-cv-01321-AWI-GSA-PC
ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 54.)

CALIFORNIA DEPARTMENT
DEPARTMENT OF MENTAL
HEALTH, et al.,
Defendants.

ORDER FOR THIS ACTION TO PROCEED
ONLY AGAINST DEFENDANTS DEVINE
AND FIELDS, UNDER 42 U.S.C. § 1983,
ON PLAINTIFF'S FIRST AMENDMENT
CLAIM FOR MONETARY DAMAGES
ORDER DISMISSING ALL REMAINING
CLAIMS FROM THIS ACTION

_____ /

Richard Kindred (“Plaintiff”) is a civil detainee 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 September 27, 2102, findings and recommendations were entered, recommending that this action proceed only against defendants Devine and Fields, under § 1983 for damages, on Plaintiff's First Amendment claim for violation of his rights to freely exercise his religion, and that all other claims be dismissed from this action. Plaintiff was provided an opportunity to file objections to the findings and recommendations within thirty days. To date, Plaintiff has not filed objections or otherwise responded to the findings and recommendations.


1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
2 Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
3 Court 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 September 27,
6 2012, are adopted in full;
- 7 2. This action now proceeds only against defendants Devine and Fields under § 1983 for
8 monetary damages, for the violation of Plaintiff's First Amendment rights to freely
9 exercise his religion;
- 10 3. All remaining claims are dismissed from this action;
- 11 4. Plaintiff's remaining RLUIPA claims, official capacity claims, and claims for
12 declaratory relief are dismissed from this action for failure to state a claim; and
- 13 5. This case is referred back to the Magistrate Judge for further proceedings.

14 IT IS SO ORDERED.

15 Dated: November 7, 2012


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17 UNITED STATES DISTRICT JUDGE

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