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

LONNIE WILLIAMS,

1:09-cv-01882-LJO-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 41.)

vs.

P. RODRIGUEZ, et al.,

ORDER FOR THIS ACTION TO PROCEED
WITH THE FOURTH AMENDED COMPLAINT
AGAINST DEFENDANTS TORRES AND
RODRIGUEZ FOR RETALIATION, AND
DISMISSING ALL OTHER CLAIMS AND
DEFENDANTS FOR FAILURE TO STATE A
CLAIM
(Doc. 36.)

Defendants.

_____/

Lonnie Williams (“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 June 19, 2012, findings and recommendations were entered, recommending that this action proceed with the Fourth Amended Complaint against defendants Torres and Rodriguez for retaliation, and that all other claims and defendants be dismissed for failure to state a claim. (Doc. 41.). Plaintiff was provided an opportunity to file objections to the findings and recommendations within thirty days. On July 16, 2012, Plaintiff requested an extension of time for thirty more days, and on July 27, 2012, the extension was granted. (Docs. 47.) 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 June 19,
6 2012, are adopted in full;
- 7 2. This action now proceeds on the Fourth Amended Complaint, filed by Plaintiff on
8 January 19, 2012, against only defendants Torres and Rodriguez for retaliation in
9 violation of the First Amendment;
- 10 3. All other claims and defendants are dismissed from this action, for failure to state a
11 claim;
- 12 4. Plaintiff's claims for conspiracy, adverse conditions of confinement, inadequate
13 medical care, interference with the appeals process, and claims under 18 U.S.C. §§
14 241, 242 are dismissed for failure to state a claim upon which relief may be granted
15 under section 1983;
- 16 5. Defendants Sumaya, Moon, Vogel, and Austin are dismissed from this action, based
17 on Plaintiff's failure to state any claims against them upon which relief may be
18 granted under section 1983; and
- 19 6. This action is referred back to the Magistrate Judge for further proceedings, including
20 initiation of service of process.

21 IT IS SO ORDERED.

22 **Dated: September 11, 2012**

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

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