

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL GONZALES,

1:10-cv-00393-LJO-MJS (PC)

Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

R. CORTEZ, et al.,

(ECF No. 18)

Defendants.

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Plaintiff Michael Gonzales is a state prisoner proceeding pro se in a 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 February 1, 2013, the Magistrate Judge filed a Findings and Recommendations, recommending dismissal of certain of Plaintiff's claims and Defendants. (ECF No. 18.) Plaintiff has failed to file objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, 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 February 1, 2013, are adopted in full;

3 2. Plaintiff be allowed to proceed on his Eighth Amendment excessive force claim

4 against Defendant Castro; and

5 3. All of Plaintiff's remaining claims and the remaining Defendants be DISMISSED

6 from this action.

7 IT IS SO ORDERED.

8 Dated: March 1, 2013

/s/ Lawrence J. O'Neill

9 UNITED STATES DISTRICT JUDGE