

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WILLIAM P. GARCIA,

1:10-CV-00447-OWW-DLB PC

Plaintiff,

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

v.

(DOC. 20)

KEN CLARK, et al.,

Defendants.

_____ /

Plaintiff William P. Garcia ("Plaintiff") is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On May 24, 2010, Plaintiff filed his first amended complaint. 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 20, 2010, 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 an 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

1 carefully reviewed the entire file, the Court finds the Findings
2 and Recommendations to be supported by the record and by proper
3 analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The [Findings and Recommendations](#), filed September 20,
6 2010, is adopted in full;
- 7 2. This action proceed against Defendants Palmer, Tolson,
8 Turner, C. Walter, Santos, D. Ibarra, S. Knight, Sanes,
9 F. Diaz, and K. Allison for violation of the First
10 Amendment, the Equal Protection Clause of the Fourteenth
11 Amendment, and the Religious Land Use and
12 Institutionalized Persons Act of 2000; and
- 13 3. Defendants Quintana, Sheron, Lais, and Ken Clark are
14 dismissed for failure to state a claim upon which relief
15 may be granted.

16 IT IS SO ORDERED.

17 **Dated: November 4, 2010**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE