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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RICKEY ADAMS,

1:10-cv-0671-AWI-MJS (PC)

Plaintiff,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CERTAIN CLAIMS AND DEFENDANTS

v.

J. YATES, et al.,

(ECF No. 36)

Defendants.

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Plaintiff Rickey Adams (“Plaintiff”) is a 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 November 28, 2012, the Magistrate Judge filed a Findings and Recommendations, recommending dismissal of certain of Plaintiff’s claims and Defendants. (ECF No. 36.) Plaintiff has failed to file objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 305, 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.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendations, filed November 28, 2012, are ADOPTED IN
- 3 FULL;
- 4 2. Plaintiff SHALL PROCEED on his post-November 2008 First Amendment
- 5 retaliation claim against Defendants Erickson, Rumbles, and Brumbaugh;
- 6 3. Plaintiff's pre-November 2008 First Amendment retaliation claim against
- 7 Defendants Erickson, Rumbles, and Brumbaugh are DISMISSED;
- 8 4. Plaintiff's Fourteenth Amendment due process claim regarding prison grievance
- 9 procedures against Defendants Yates, Huckabay, and Grannis are DISMISSED;
- 10 5. Plaintiff's Fourteenth Amendment due process claim regarding false rules violation
- 11 reports against Defendants Erickson, Rumbles, and Brumbaugh is DISMISSED;
- 12 6. Plaintiff's conspiracy claim against Defendants Yates, Erickson, Rumbles,
- 13 Brumbaugh, Huckabay, Grannis, and Hubbard is DISMISSED; and
- 14 7. Defendants Yates, Huckabay, Grannis, and Hubbard are DISMISSED from the
- 15 action.

16 IT IS SO ORDERED.

17 Dated: January 16, 2013



18 SENIOR DISTRICT JUDGE