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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS JOHN CARLSON,

 Plaintiff,

 v.

R. HANSEN, et al.,

 Defendants.

Case No. 1:10-cv-00759-LJO-SKO (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DENYING
DEFENDANTS’ MOTION TO DISMISS
STATE CLAIM CLAIMS AS BARRED BY
STATUTE OF LIMITATIONS, AND
REQUIRING DEFENDANTS TO FILE
ANSWER WITHIN TWENTY DAYS

(Docs. 62, 65, 66, and 73)

Plaintiff Thomas John Carlson (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on April 30, 2010. This action is proceeding on Plaintiff’s third amended complaint, filed on November 6, 2013, against Defendants Worth, Newton, Rodriquez, Vega, Monroy, Angulo, Madrid, O’Brien, Abraham, Alvarado, Chan, Garza, Ikeni, McCave, and Villa (“Defendants”) for acting with deliberate indifference to Plaintiff’s medical needs, in violation of the Eighth Amendment of the United States Constitution. The Court also has supplemental jurisdiction over Plaintiff’s state law claims for negligence and/or violation of Cal. Gov’t Code § 845.6. 28 U.S.C. § 1367(a).

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 July 8, 2014, the Magistrate Judge filed a Findings and Recommendations which was served on the parties and which contained notice to the parties that

1 Objections to the Findings and Recommendations were to be filed within fifteen days. No
2 Objections were filed.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a
4 *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings
5 and Recommendations to be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The Findings and Recommendations, filed on July 8, 2014, is adopted in full;
- 8 2. Defendants' motion to dismiss Plaintiff's state law claims as barred by the statute
9 of limitations, filed on January 15, 2014, is DENIED, without prejudice; and
- 10 3. Defendants shall file an answer to Plaintiff's third amended complaint within
11 **twenty (20) days** from the date of service of this order.

12 IT IS SO ORDERED.

13 Dated: August 3, 2014

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

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