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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LONNIE WILLIAMS,

Plaintiff,

v.

J. LOPEZ, et al.,

Defendants.

CASE NO. 1:10-CV-00952-LJO-DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

(DOC. 14)

_____ /

Plaintiff Lonnie Williams (“plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the [complaint](#) initiating this action on May 27, 2010. 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 13, 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 carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The [Findings and Recommendations](#), filed September 13, 2010, is adopted in full;

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2. This action proceed against Defendant J. Lopez for excessive force in violation of the Eighth Amendment;
3. Plaintiff's claims for violation of the First Amendment against Defendants Brewer and DaViega are dismissed without prejudice;
4. Plaintiff's other claims are dismissed with prejudice from this action for failure to state a claim upon which relief may be granted; and
5. Defendants Taylor Swaim, F. Martinez, Jr., Sergio Castrejon, George Becerra, Maurice Junious, Laura M. Williams, P. Horn, Dunlop, Longacre, Cunningham, Tindle, Kyle, Vetterick, and D. Harban are dismissed.

IT IS SO ORDERED.

Dated: October 26, 2010

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