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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	TONY HERNANDEZ,) Case No.: 1:10-cv-01064-LJO-SAB (PC)
12	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATION, DISMISSING CERTAIN CLAIMS AND DEFENDANTS FROM ACTION [ECF No. 23]
13	v.	
14	M. MARTINEZ, et al.,	
15	Defendants.))
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17	Plaintiff Tony Hernandez is appearing pro se and in forma pauperis in this civil rights action	
18	pursuant to 42 U.S.C. § 1983.	
19	The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C.	
20	636(b)(1)(B) and Local Rule 302. On December 20, 2013, the Magistrate Judge filed a Findings and	
21	Recommendations which was served on Plaintiff and contained notice that Objections to the Findings	
22	and Recommendations were to be filed within fourteen days. Plaintiff filed an Objection on January 2	
23	2014. Local Rule 304(b), (d).	
24	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a d	
25	novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings an	
26	Recommendations to be supported by the record and by proper analysis.	
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Accordingly, IT IS HEREBY ORDERED that:

- 1. The Findings and Recommendations, filed on December 20, 2013, is adopted in full;
- 2. Defendant M. Martinez is DISMISSED from the action for failure to state a cognizable claim; and
- 3. Plaintiff's Due Process and Equal Protection claims are DISMISSED from the action for failure to state a cognizable claim.

IT IS SO ORDERED.

Dated: January 21, 2014 /s/ Lawrence J. O'Neill UNITED STATES DISTRICT JUDGE