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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEVIN E. FIELDS,
Plaintiff,
vs.
P. PATTERSON, et al.,
Defendants.

1:10-cv-01700-LJO-GSA-PC
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. 23.)
ORDER FOR THIS ACTION TO
PROCEED ON THE FIRST AMENDED
COMPLAINT AGAINST DEFENDANT
C/O PATTERSON FOR USE OF
EXCESSIVE FORCE; AGAINST
DEFENDANTS C/O PATTERSON AND
SGT. MOLINA FOR RETALIATION;
AND AGAINST DEFENDANTS SGT.
MOLINA AND LT. FINLEY FOR
FAILURE TO COMPLY WITH STATE
LAW
(Doc. 16.)
ORDER DISMISSING ALL OTHER
CLAIMS AND DEFENDANTS FROM
THIS ACTION

Kevin E. Fields ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. This case now proceeds on Plaintiff's First Amended Complaint filed on May 31, 2013. (Doc. 16.) 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 February 24, 2014, the Court entered Findings and Recommendations, recommending that this action proceed against defendant C/O Patterson for use of excessive

1 force; against defendants C/O Patterson and Sgt. Molina for retaliation; and against defendants
2 Sgt. Molina and Lt. Finley for failure to comply with state law, and that all other claims and
3 defendants be dismissed from this action based on Plaintiff's failure to state a claim. (Doc. 23.)
4 On May 10, 2014, Plaintiff filed a notice that he has no objections to the Magistrate Judge's
5 findings. (Doc. 24.)

6 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
7 Court has conducted a de novo review of this case. Having carefully reviewed the entire file,
8 the Court finds the Findings and Recommendations to be supported by the record and proper
9 analysis.

10 **III. CONCLUSION**

11 Accordingly, THE COURT HEREBY ORDERS that:

- 12 1. The Findings and Recommendations issued by the Magistrate Judge on February
13 24, 2014, are ADOPTED in full;
- 14 2. This action now proceeds on Plaintiff's First Amended Complaint, filed on May
15 31, 2013, against defendant C/O Patterson for use of excessive force; against
16 defendants C/O Patterson and Sgt. Molina for retaliation; and against defendants
17 Sgt. Molina and Lt. Finley for failure to comply with state law;
- 18 3. All remaining claims and defendants are DISMISSED from this action;
- 19 4. Defendant T. Borges is DISMISSED from this action based on Plaintiff's failure
20 to state any claims upon which relief may be granted against him; and
- 21 5. The Clerk is DIRECTED to reflect the dismissal of defendant Borges on the
22 Court's docket.

23
24 IT IS SO ORDERED.

25 Dated: March 11, 2014

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