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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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7 LAMONT SHEPARD,

8 Plaintiff,

9 vs.

10 COHEN, et al.,

11 Defendants.
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1:11-cv-00535-LJO-GSA-PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 84.)

ORDER DENYING PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT AND
GRANTING IN PART DEFENDANTS'
CROSS-MOTION FOR SUMMARY
JUDGMENT
(ECF Nos. 60, 67.)

ORDER ENTERING SUMMARY
JUDGMENT IN FAVOR OF DEFENDANT
VERA-BROWN ON ALL CLAIMS
AGAINST HER

ORDER ENTERING PARTIAL SUMMARY
JUDGMENT IN FAVOR OF DEFENDANTS
DEAN, CAMPBELL, AND LOPEZ, ON
PLAINTIFF'S DUE PROCESS CLAIMS

ORDER FOR THIS CASE TO PROCEED
AGAINST DEFENDANT COHEN FOR
VIOLATION OF DUE PROCESS, AND
AGAINST DEFENDANTS COHEN, DEAN,
CAMPBELL, AND LOPEZ FOR USE OF
EXCESSIVE FORCE

23 Benito Reyes ("Plaintiff") is a state prisoner proceeding pro se with this civil rights
24 action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
25 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

26 On September 2, 2015, findings and recommendations were entered, recommending
27 that Plaintiff's motion for summary judgment be denied, and Defendants' cross-motion for
28 summary judgment be granted in part and denied in part. (ECF No. 84.) The parties were

1 granted twenty days in which to file objections to the findings and recommendations. (Id.) To
2 date, no objections have been filed.

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

7 Accordingly, THE COURT HEREBY ORDERS that:

- 8 1. The Findings and Recommendations issued by the Magistrate Judge on
9 September 2, 2015, are ADOPTED IN FULL;
- 10 2. Plaintiff's motion for summary judgment, filed on October 14, 2014, is
11 DENIED;
- 12 3. Defendants' cross-motion for summary judgment, filed on December 8, 2014, is
13 GRANTED in part and DENIED in part;
- 14 4. Order entering summary judgment in favor of defendant Vera-Brown on all of
15 Plaintiff's claims against her;
- 16 5. Order entering partial summary judgment in favor of defendants Dean,
17 Campbell, and Lopez, on Plaintiff's due process claims;
- 18 6. Order for this case to proceed against defendant Cohen for violation of due
19 process, and against defendants Cohen, Dean, Campbell, and Lopez for use of
20 excessive force; and
- 21 7. Order referring this case back to the Magistrate Judge for further proceedings.

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23 IT IS SO ORDERED.

24 Dated: September 28, 2015

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