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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

WILLIAM M. BRYSON, JR.,

Plaintiff,

v.

SUSAN B. GERSON, et al.,

Defendants.

CASE NO. 1:13-cv-01979-LJO-MJS

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS (1) FOR SERVICE  
OF COGNIZABLE CLAIMS IN FIRST  
AMENDED COMPALINT AGAINST  
DEFENDANT EXECUTIVE OFFICE FOR  
UNITED STATES ATTORNEYS, AND (2)  
TO DISMISS ALL OTHER CLAIMS AND  
DEFENDANTS**

**(ECF Nos. 9, 13)**

Plaintiff is a federal prisoner proceeding pro se and in forma pauperis in this action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. (ECF Nos. 4 & 9.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern District of California.

On November 21, 2014, the Magistrate Judge issued findings and recommendations (ECF No. 13) that (1) Plaintiff should proceed on the first amended complaint FOIA claim against Defendant Executive Office for United States Attorneys, and (2) all other claims asserted in the first amended complaint and all other named

1 Defendants should be dismissed with prejudice. Plaintiff did not object to the Findings  
2 and Recommendations and the time for doing so has passed.

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

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. The findings and recommendations (ECF No. 13), filed on November 21,  
9 2014, are adopted in full;
- 10 2. Plaintiff is to proceed on the first amended complaint FOIA claim against  
11 Defendant Executive Office for United States Attorneys;
- 12 3. All other claims asserted in the first amended complaint and all other named  
13 Defendants are dismissed with prejudice;
- 14 4. Service should be initiated on the following Defendant:

15 **EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS**

- 16 5. The Clerk of the Court is directed to send Plaintiff one (1) USM-285 form, one  
17 (1) summons, a Notice of Submission of Documents form, an instruction  
18 sheet, and a copy of the first amended complaint, filed September 8, 2014;
- 19 6. Within thirty (30) days from the date of this order, Plaintiff is to complete and  
20 return to the Court the notice of submission of documents along with the  
21 following documents:
  - 22 a. Completed summons;
  - 23 b. One completed USM-285 form for the Defendant listed above,
  - 24 c. Two copies of the endorsed first amended complaint filed September 8,  
25 2014; and

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7. Upon receipt of the above-described documents, the Court will direct the United States Marshal to serve the above-named Defendant pursuant to Federal Rule of Civil Procedure 4 without payment of costs.

IT IS SO ORDERED.

Dated: December 15, 2014

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