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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MARK S. SOKOLSKY,  
Plaintiff,

v.

STATE OF CALIFORNIA, et al.,  
Defendants.

Case No. 1:13-cv-02044 LJO DLB PC  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATION  
[ECF No. 16]

Plaintiff Mark S. Sokolsky (“Plaintiff”) is a civil detainee proceeding pro se and in forma pauperis in this civil rights action. Plaintiff filed this action on December 16, 2013.

On September 11, 2015, Plaintiff filed a First Amended Complaint (“FAC”). He named the State of California, Christine Mativo, Rebecca Domrese, Audrey King, Alan Carlson, Brian Bowley, Marisa Bigot, Kamala Harris, and John/Jane Does 1 to 100 as Defendants. On July 27, 2015, the Court screened Plaintiff’s FAC and found that it stated the following claims: (1) violation of Plaintiff’s First Amendment rights to free exercise of religion by Defendants Mativo, Domrese, King, Bowley, and Bigot; (2) violation of RLUIPA by Defendants Mativo, Domrese, King, Bowley, and Bigot; and (3) violation of Plaintiff’s substantive due process rights by Defendants King, Mativo, and Domrese for conditions of confinement. The Court ordered Plaintiff to file an amended complaint or notify the Court of his willingness to proceed only on these claims.

1 On August 10, 2015, Plaintiff notified the Court that he wanted to proceed only on the  
2 cognizable claims identified above.

3 Accordingly, on August 18, 2015, the Magistrate Judge issued Findings and  
4 Recommendations that recommended the action be ORDERED to proceed on the following  
5 claims: (1) violation of Plaintiff's First Amendment rights to free exercise of religion by  
6 Defendants Mativo, Domrese, King, Bowley, and Bigot; (2) violation of RLUIPA by Defendants  
7 Mativo, Domrese, King, Bowley, and Bigot; and (3) violation of Plaintiff's substantive due  
8 process rights by Defendants King, Mativo, and Domrese for conditions of confinement. It was  
9 further recommended that the remaining claims, as well as Defendants State of California, Alan  
10 Carlson, and Kamala Harris, be DISMISSED from this action. The Findings and  
11 Recommendations were served on Plaintiff and contained notice that any objections were to be  
12 filed within fourteen (14) days. Over fourteen days have passed and Plaintiff has not filed  
13 objections.

14 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted  
15 a de novo review of this case. Having carefully reviewed the entire file, the Court finds that the  
16 Findings and Recommendations are supported by the record and by proper analysis.

17 Accordingly, IT IS HEREBY ORDERED that:

- 18 1. The Findings and Recommendations, filed August 18, 2015, are ADOPTED in full;
- 19 2. This action is ORDERED to proceed on the following claims: (1) violation of Plaintiff's  
20 First Amendment rights to free exercise of religion by Defendants Mativo, Domrese, King,  
21 Bowley, and Bigot; (2) violation of RLUIPA by Defendants Mativo, Domrese, King, Bowley,  
22 and Bigot; and (3) violation of Plaintiff's substantive due process rights by Defendants King,  
23 Mativo, and Domrese for conditions of confinement; and
- 24 3. The remaining claims, as well as Defendants State of California, Alan Carlson, and  
25 Kamala Harris, are DISMISSED from this action.  
26 IT IS SO ORDERED.

27 Dated: September 12, 2015

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

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