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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	MARTIN McLAUGHLIN,	Case No. 1:14-cv-00784-AWI-JLT (PC)
10	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS OF DISMISSAL
11	v.	WITHOUT LEAVE TO AMEND FOR FAILURE/INABILITY TO STATE A CLAIM
12	DIAZ, et al.,	(Docs. 15, 17)
13	Defendants.	STRIKE PER 28 U.S.C. § 1915(g)
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16	Plaintiff, Martin McLaughlin, is a prisoner in the custody of the California Department of	
17	Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding pro se and in forma pauperis in	
18	this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States	
19	Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. Plaintiff filed his	
20	Second Amended Complaint on February 9, 2015, alleging a violation of his rights under the	
21	Eighth Amendment based on his conditions of confinement and to substantive and procedural due	
22	process under the Fourteenth Amendment. (Doc. 16.) On April 16, 2015, the Magistrate Judge	
23	screened it and recommended dismissal without leave to amend for failure to state a claim. (Doc.	
24	17.) Plaintiff filed timely objections on May 15, 2015. (Doc. 18.)	
25	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a	
26	de novo review of this case. Having carefully reviewed the entire file, the Court finds the	
27	Findings and 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, issued on April 16, 2015 (Doc. 17), is adopted in full; 2. This action is dismissed with prejudice for Plaintiff's failure to state a claim; 3. Plaintiff's motion to release certain named Defendants, filed February 9, 2015 (Doc. 15) is disregarded as moot; 4. Dismissal of this action counts as a strike pursuant to 28 U.S.C. § 1915(g); and 5. The Clerk of the Court is directed to close this action. IT IS SO ORDERED. Dated: June 4, 2015 SENIOR DISTRICT JUDGE