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## UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF CALIFORNIA

GUILLERMO CRUZ TRUJILLO,

Plaintiff,

v.

MUNOZ and ALVAREZ,

Defendants.

Case No. 1:14-cv-00976-LJO-EPG (PC)

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS

(ECF NOS. 14, 19 & 33)

Guillermo Cruz Trujillo ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma* pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. 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 May 11, 2018, Magistrate Judge Erica P. Grosjean entered findings and recommendations, recommending "that this action proceed against defendant Alvarez on Plaintiff's claim for unreasonable searches in violation of the Fourth Amendment, and that all other claims and defendants be dismissed." (ECF No. 33, p. 9).

Plaintiff was provided an opportunity to file objections to the findings and recommendations. On May 21, 2018, Plaintiff filed what the Court construes as a statement of non-opposition. (ECF No. 34).

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

## Accordingly, THE COURT HEREBY ORDERS that:

1. The findings and recommendations issued by the magistrate judge on May 11,

2018, are ADOPTED in full; 2. This case proceed against defendant Alvarez on Plaintiff's claim for unreasonable searches in violation of the Fourth Amendment; 3. All other claims and defendants are DISMISSED; 4. The Clerk of Court is DIRECTED to reflect the dismissal of defendant Munoz on the Court's docket, and to add defendant Alvarez, a Correctional Lieutenant; and This case is referred back to the magistrate judge for further proceedings. 5. IT IS SO ORDERED. /s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE Dated: May 22, 2018