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

JEFFREY P. PERROTTE,)	Case No. 1:15-cv-00026-LJO-SAB (PC)
Plaintiff,)	
v.)	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, ALLOWING ACTION TO PROCEED ON ONLY ON THE RETALIATION CLAIM AGAINST DEFENDANT JOHNSON AS DEFINED HEREIN, AND DISMISSING ALL OTHER CLAIMS AGAINST DEFENDANT JOHNSON AND LEFLORE
STACEY JOHNSON, et al.,)	
Defendants.)	
)	[ECF Nos. 99, 157]

Plaintiff Jeffrey P. Perrotte is appearing pro se and in forma pauperis in this civil rights action 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 July 10, 2018, the Magistrate Judge filed a Findings and Recommendations recommending that Defendants' motion for summary judgment be granted, and this action proceed only on the retaliation claim against Defendant Johnson for placement of false CDCR Form 128-B in his central file and placement in the administrative security unit and all other claims and Defendant LeFlore be dismissed, without prejudice. The Findings and Recommendations were served on the parties and contained notice that objections were to be filed within thirty (30) days. No objections were filed and the time to do so has expired.

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

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations, filed on July 10, 2018, are adopted in full;
- 6 2. Defendants' motion for summary judgment is granted;
- 7 3. This action shall proceed only on the retaliation claim against Defendant Johnson for
8 placement of a false CDCR Form 128-B in Plaintiff's central file and placement in the administrative
9 security housing unit; and
- 10 4. All other claims against Defendant Johnson and Defendant LeFlore are dismissed from
11 the action, without prejudice, for failure to exhaust the administrative remedies.

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13 IT IS SO ORDERED.

14 Dated: September 24, 2018

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