

1 500 (9th Cir. 2017), had held that a magistrate judge does not have jurisdiction to dismiss claims
2 with prejudice in screening prisoner complaints even if a plaintiff has consented to magistrate
3 judge jurisdiction, as plaintiff did here, where all defendants, including those not yet appearing in
4 the action, have not consented to magistrate judge jurisdiction. (Doc. No. 93.) Concurrently, the
5 magistrate judge issued findings and recommendations recommending that plaintiff's claims
6 previously found to be non-cognizable in the initial screening order be dismissed. (*Id.*) The
7 parties were given fourteen days to file objections to those findings and recommendations. (*Id.*)
8 The parties did not file any objections, and the time in which to do so has now expired.

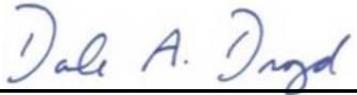
9 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the
10 undersigned has conducted a *de novo* review of the case. The undersigned concludes the findings
11 and recommendations are supported by the record and by proper analysis.

12 Accordingly:

- 13 1. The findings and recommendations issued on February 23, 2018 (Doc. No. 93) are
14 adopted in full;
- 15 2. Plaintiff's claim for injunctive relief is dismissed with prejudice;
- 16 3. This action proceeds on plaintiff's Eighth Amendment excessive force claims against
17 defendants Casillas, Holguin, Moore, King, Lomas, Gonzales, A. Martinez, Delgado,
18 Barron, Montanez, Mayfield and Moreno and his failure to intervene claims against
19 defendants Arellano, Deluna, C. Martinez, Bennett, Holland, Kilmer, Lomas and Santa
20 Marias.

21 IT IS SO ORDERED.

22 Dated: March 19, 2018

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25 UNITED STATES DISTRICT JUDGE
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