

1 Judge issued Findings and Recommendations recommending the dismissal of certain claims and
2 defendants. (ECF No. 14.) Specifically, the Magistrate Judge recommended that (1) Plaintiff's
3 claim for excessive force against Defendant Castaneda; (2) Plaintiff's claims against Defendants
4 Docanto, Jordan, and Castaneda for violating the CDCR use of force policy; and (3) Defendants
5 Weaver, Nora and Juarez, be dismissed from this action for failure to state a claim, without
6 further leave to amend.

7 The Findings and Recommendations were served on Plaintiff, and contained notice that
8 any objections must be filed within fourteen (14) days after service of the order. (*Id.* at 14.)
9 More than fourteen (14) days have passed, and no objections have been filed.

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

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. The Findings and Recommendations dated August 8, 2016 (ECF No. 14) are
15 ADOPTED IN FULL;
- 16 2. This action shall proceed on Plaintiff's first amended complaint, filed on June 17,
17 2016, for excessive force against Defendants Docanto and Jordan for allegedly
18 attacking him on September 20, 2014, and against Defendant Castaneda for the
19 failure to protect him from the attack, in violation of the Eighth Amendment;
- 20 3. Plaintiff's claim for excessive force against Defendant Castaneda, and claims
21 against Defendants Docanto, Jordan, and Castaneda for violating the CDCR use
22 of force policy, are dismissed; and
- 23 4. Defendants B. Weaver, D. D. Nora, and V. Juarez are dismissed from this action.

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25 IT IS SO ORDERED.

26 Dated: September 15, 2016

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