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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RASHEED HILSON, SR.,
Plaintiff,
v.
JESSE ARNETT, et al.,
Defendants.

No. 1:15-cv-01240-DAD-MJS (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATION AND DENYING
PARTIAL MOTION TO DISMISS

(Doc. Nos. 23, 40)

Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought 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 of the United States District Court for the Eastern District of California.

On April 17, 2017, the assigned magistrate judge issued findings and a recommendation recommending that the motion to dismiss plaintiff’s excessive use of force claim brought on behalf of defendants Arnett and Gamboa be denied. (Doc. No. 40.) The findings and recommendation provided that any objections thereto were to be filed within fourteen days. No objections to the findings and recommendations were filed and the time for doing so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings

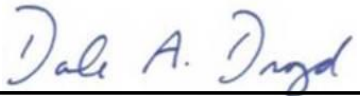
1 and recommendation to be supported by the record and by proper analysis.

2 Accordingly,

- 3 1. The findings and recommendation filed April 17, 2017 (Doc. No. 40) are adopted
4 in full; and
- 5 2. The motion to dismiss plaintiff's excessive use of force claim brought on behalf of
6 defendants Arnett and Gamboa (Doc. No. 23) is denied.

7 IT IS SO ORDERED.

8 Dated: May 10, 2017


UNITED STATES DISTRICT JUDGE

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