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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEVONTE B. HARRIS,  
Plaintiff,  
v.  
HUMBERTO GERMAN, et al.,  
Defendants.

No. 1:15-cv-01462-DAD-GSA  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CERTAIN CLAIMS AND DEFENDANTS  
(Doc. No. 30)

Plaintiff is a state prisoner proceeding pro se and *in forma pauperis* with 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 December 21, 2017, the assigned magistrate judge issued findings and recommendations, recommending that claims and defendants be dismissed consistent with the magistrate judge’s prior order in light of *Williams v. King*, 875 F.3d 500 (9th Cir. 2017). (Doc. No. 30.) The parties were granted fourteen days in which to file objections to the findings and recommendations. (*Id.*) The fourteen-day time period has expired, and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, the undersigned has conducted a *de novo* review of this case. Having carefully reviewed the entire

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1 file, the undersigned concludes the findings and recommendations are supported by the record  
2 and proper analysis.

3 Given the foregoing:

- 4 1. The magistrate judge's findings and recommendations issued on December 21, 2017  
5 (Doc. No. 30) are adopted in full;
- 6 2. Consistent with the magistrate judge's prior screening order issued on September 11,  
7 2017 (Doc. No. 21), the following claims and defendants are dismissed, for the  
8 reasons provided in the screening order:
  - 9 a. Defendants C/O Summer Cordova, C/O L. Borgess, C/O R. Womack, C/O D.  
10 Lovelady, C/O D. Menzie, C/O D. Botello, C/O S. Pano, C/O R. Leal,  
11 Sergeant J. Martinez, Sergeant W. Rasley, and Sergeant J. Hubbard are  
12 dismissed from this action for Plaintiff's failure to state any claims under  
13 § 1983 against them upon which relief may be granted; and
  - 14 b. Plaintiff's claims for failure to protect, false reports, and destruction of video  
15 are dismissed from this action based on Plaintiff's failure to state a claim; and
- 16 3. This case is referred back to the magistrate judge for further proceedings.

17 IT IS SO ORDERED.

18 Dated: January 17, 2018

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21 UNITED STATES DISTRICT JUDGE  
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