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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CEDRIC EUGENE GREEN,

Plaintiff

v.

FRANKLIN, et al.,

Defendants.

**CASE NO. 1:15-cv-1548-LJO-MJS (PC)**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

**(1) FOR SERVICE OF COGNIZABLE  
CLAIMS AGAINST DEFENDANTS  
FRANKLIN AND RAMOS; AND**

**(2) TO DISMISS ALL OTHER CLAIMS  
AND DEFENDANTS WITH  
PREJUDICE**

**(ECF NO. 17)**

**THIRTY-DAY DEADLINE**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed 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 27, 2016, the Magistrate Judge issued findings and recommendations for service of cognizable claims and dismissal of all other claims and Defendants with prejudice. (ECF No. 17) Plaintiff has not filed any objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, it is HEREBY ORDERED that:

1. The Court adopts the findings and recommendations filed on December 27,

1 2016 (ECF No. 17) in full;

- 2 2. Plaintiff shall proceed on his First Amendment claim against Defendants  
3 Franklin and Ramos;  
4 3. All other claims asserted in the complaint and all other named Defendants  
5 are dismissed with prejudice;  
6 4. Service shall be initiated on the following Defendants:

7 **FRANKLIN** – Mailroom Employee,

8 **RAMOS** – Appeals Coordinator;

- 9 5. The Clerk of the Court shall send Plaintiff two (2) USM-285 forms, two (2)  
10 summons, a Notice of Submission of Documents form, an instruction sheet  
11 and a copy of the complaint filed October 13, 2015;  
12 6. Within thirty (30) days from the date of this Order, Plaintiff shall complete  
13 and return to the Court the notice of submission of documents along with  
14 the following documents:  
15 a. Completed summons,  
16 b. One completed USM-285 form for each Defendant listed above,  
17 c. Three (3) copies of the endorsed complaint filed October 13, 2015;  
18 and  
19 7. Upon receipt of the above-described documents, the Court will direct the  
20 United States Marshal to serve the above-named Defendants pursuant to  
21 Federal Rule of Civil Procedure 4 without payment of costs.

22 IT IS SO ORDERED.

23 Dated: January 19, 2017

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