1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 GEORGE JACKSON, No. 1:16-cv-00148-DAD-MJS 12 Plaintiff. 13 ORDER ADOPTING FINDINGS AND v. RECOMMENDATIONS AND DIRECTING 14 R. DAVIS, et al., **SERVICE** 15 (Doc. No. 19) Defendants. 16 Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights 17 action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate 18 19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On December 12, 2016, the assigned magistrate judge issued an order directing plaintiff to 21 either file a third amended complaint or notify the court of his willingness to proceed only on the 22 claims found to be cognizable in the court's screen order. (Doc. No. 17.) Plaintiff indicated his 23 willingness to proceed only on the claims found cognizable by the magistrate judge in the 24 December 29, 2016 screening order. (Doc. No. 18.) On January 19, 2017, the assigned magistrate judge issued findings and recommendations recommending that service be initiated on 25 26 defendant P. Johnson on the claim found by the court to be cognizable and that all other claims 27 and defendants be dismissed from this action with prejudice. (Doc. No. 19.) Plaintiff filed no 28 objections to those findings and recommendations and the time in which to do so has passed. 1

1	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the undersigned has
2	conducted a <i>de novo</i> review of this case. Having carefully reviewed the entire file, the
3	undersigned concludes the findings and recommendations are supported by the record and by
4	proper analysis.
5	For the reasons set forth above:
6	1. Plaintiff shall proceed on his Eighth Amendment claim against defendant Johnson;
7	2. All other claims asserted in plaintiff's second amended complaint and all other named
8	defendants are dismissed;
9	3. Service shall be initiated on defendant P. Johnson;
10	4. The Clerk of the Court shall send plaintiff one (1) USM-285 forms, one (1) summons,
11	a Notice of Submission of Documents form, an instruction sheet and a copy of the second
12	amended complaint filed August 15, 2016;
13	5. Within thirty (30) days from the date of this order, plaintiff shall complete and return to
14	the court the notice of submission of documents along with the following documents:
15	a. Completed summons,
16	b. One completed USM-285 form for each defendant listed above,
17	c. Two (2) copies of the endorsed complaint filed August 15, 2016; and
18	6. Upon receipt of the above-described documents, the court will direct the United States
19	Marshal to serve the above-named defendant pursuant to Federal Rule of Civil Procedure 4
20	without payment of costs.
21	IT IS SO ORDERED.
22	Dated: May 5, 2017
23	UNITED STATES DISTRICT JUDGE
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