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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROLLAND HANLEY,  
  
                                Plaintiff,  
  
                                v.  
  
OPINSKI, et al.,  
  
                                Defendants.

No. 1:16-cv-00391-DAD-SAB

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS FOR ACTION TO  
PROCEED ON COGNIZABLE  
FOURTEENTH AMENDMENT CLAIM AND  
TO DISMISS NON-COGNIZABLE CLAIMS

(Doc. No. 9)

Plaintiff Rolland Hanley is a county jail inmate proceeding *pro se* in this civil 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 March 26, 2018, the assigned magistrate judge issued findings and recommendations recommending that the action proceed only on plaintiff's Fourteenth Amendment claims against defendants Opinski and Gorman and that plaintiff's Eighth Amendment claims with be dismissed with prejudice for failure to state a claim. The findings and recommendations were served on plaintiff with notice that any objections thereto were to be filed within fourteen days. No objections were filed, and the time to do so has now passed.

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

4 Accordingly,

- 5 1. The findings and recommendations filed March 26, 2018 (Doc. No. 11) are  
6 adopted in full;
- 7 2. Plaintiff shall proceed on his cognizable Fourteenth Amendment claims against  
8 defendants Gorman and Opinski;
- 9 3. Plaintiff's Eighth Amendment claims are dismissed with prejudice due to his  
10 failure to state a claim in that respect; and
- 11 4. The matter is referred back to the assigned magistrate judge for further  
12 proceedings, including the initiation of service of process.

13 IT IS SO ORDERED.

14 Dated: June 5, 2018

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17 UNITED STATES DISTRICT JUDGE  
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