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<u>8</u>	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	SIMON THORNTON,	CASE NO. 1:16-cv-0498-AWI-MJS (PC)
12 13	Plaintiff,	FINDINGS AND RECOMMENDATIONS TO DISMISS NON-COGNIZABLE CLAIMS
15 14	V.	WITH PREJUDICE
	DONALD L. GRISSOM, et al.,	(ECF NOS. 9, 18)
15 16	DONALD L. GRISSOM, et al., Defendants.	(ECF NOS. 9, 18) FOURTEEN DAY OBJECTION DEADLINE
15	Defendants.	FOURTEEN DAY OBJECTION DEADLINE
15 16	Defendants. Plaintiff is a state prisoner procee	FOURTEEN DAY OBJECTION DEADLINE eding pro se and in forma pauperis in this civil
15 16 17	Defendants. Plaintiff is a state prisoner proceed rights action brought pursuant to 42 U.S.	FOURTEEN DAY OBJECTION DEADLINE eding pro se and in forma pauperis in this civil C. § 1983.
15 16 17 18	Defendants. Plaintiff is a state prisoner proceed rights action brought pursuant to 42 U.S.4 On October 4, 2016, Plaintiff's	FOURTEEN DAY OBJECTION DEADLINE eding pro se and in forma pauperis in this civil C. § 1983. First Amended Complaint (ECF No. 9) was
15 16 17 18 19	Defendants. Plaintiff is a state prisoner proceed rights action brought pursuant to 42 U.S. On October 4, 2016, Plaintiff's screened and found to state a cogniza	FOURTEEN DAY OBJECTION DEADLINE eding pro se and in forma pauperis in this civil C. § 1983. First Amended Complaint (ECF No. 9) was able Eighth Amendment excessive force claim
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15 16 17 18 19 20 21 22	Defendants. Plaintiff is a state prisoner proceed rights action brought pursuant to 42 U.S.C On October 4, 2016, Plaintiff's screened and found to state a cognizat against Defendant Grissom and an Eight Defendant Cruz. (ECF No. 18.) However Defendants were subject to dismissal.	FOURTEEN DAY OBJECTION DEADLINE eding pro se and in forma pauperis in this civil C. § 1983. First Amended Complaint (ECF No. 9) was able Eighth Amendment excessive force claim oth Amendment failure to protect claim against
 15 16 17 18 19 20 21 22 23 24 25 	Defendants. Plaintiff is a state prisoner proceed rights action brought pursuant to 42 U.S.C On October 4, 2016, Plaintiff's screened and found to state a cognizat against Defendant Grissom and an Eight Defendant Cruz. (ECF No. 18.) However Defendants were subject to dismissal. Plaintiff was then directed to file	FOURTEEN DAY OBJECTION DEADLINE eding pro se and in forma pauperis in this civil C. § 1983. First Amended Complaint (ECF No. 9) was able Eighth Amendment excessive force claim of th Amendment failure to protect claim against r, the Court concluded that all other claims and
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1	Accordingly, IT IS HEREBY RECOMMENDED that:	
2	1. Plaintiff proceed on an Eighth Amendment excessive force claim against	
3	Defendant Grissom and an Eighth Amendment failure to protect claim	
4	against Defendant Cruz; and	
5	2. All other claims and Defendants be dismissed with prejudice.	
6	The findings and recommendations will be submitted to the United States District	
7	Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1).	
8	Within fourteen (14) days after being served with the findings and recommendations, the	
9	parties may file written objections with the Court. The document should be captioned	
10	"Objections to Magistrate Judge's Findings and Recommendations." A party may	
11	respond to another party's objections by filing a response within fourteen (14) days after	
12	being served with a copy of that party's objections. The parties are advised that failure to	
13	file objections within the specified time may result in the waiver of rights on appeal.	
14	Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014) (citing Baxter v. Sullivan, 923	
15	F.2d 1391, 1394 (9th Cir. 1991)).	
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17	IT IS SO ORDERED.	
18	Dated: <u>November 7, 2016</u> Isl Michael J. Seng	
19	UNITED STATES MAGISTRATE JUDGE	
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