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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	Plaintiff,	
13	v.	FINDINGS AND RECOMMENDATIONS TO DISMISS NON-COGNIZABLE CLAIMS
14	DONALD L. GRISSOM, et al.,	WITH PREJUDICE
15	Defendants.	(ECF NO. 31)
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18	Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil	
19	rights action brought pursuant to 42 U.S.C. § 1983.	
20	On February 28, 2017, the	e magistrate judge issued findings and
21	recommendations to allow Plaintiff to proceed on an Eighth Amendment excessive force	
22	claim against Defendant Grissom and an Eighth Amendment failure to protect claim	
23	against Defendant Cruz, and to dismiss all other claims and Defendants with prejudice.	
24	(ECF No. 31.) Plaintiff has not filed objections to these findings and recommendations.	
25	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has	
26	conducted a de novo review of this case. Having carefully reviewed the entire file, the	
27	Court finds the revised findings and recommendations to be supported by the record and	
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1	by proper analysis.	
2	Accordingly, it is HEREBY ORDERED that:	
3	1. The Court adopts the renewed findings and recommendations, filed on	
4	February 28, 2017 (ECF No. 31), in full;	
5	2. Plaintiff shall proceed on an Eighth Amendment excessive force claim	
6	against Defendant Grissom and an Eighth Amendment failure to protect	
7	claim against Defendant Cruz;	
8	3. All other claims and Defendants are dismissed with prejudice; and	
9	4. This matter is referred back to the magistrate judge for further orders	
10	consistent with this decision.	
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12	IT IS SO ORDERED.	
13	Dated: <u>May 5, 2017</u> SENIOR DISTRICT JUDGE	
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