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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEDRIC TURNER,

Plaintiff,

vs.

M. PORTER, et al.,

Defendants.

1:16-cv-00542-AWI-GSA-PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 32.)**

**ORDER DISMISSING CLAIMS AND
DEFENDANTS CONSISTENT WITH
MAGISTRATE JUDGE'S PRIOR
ORDER IN LIGHT OF WILLIAMS
DECISION**

**ORDER ASSIGNING CASE TO
MAGISTRATE JUDGE GARY S.
AUSTIN**

Plaintiff Dedric Turner is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action 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 13, 2017, the court entered [findings and recommendations](#), recommending that claims and defendants be dismissed consistent with the magistrate judge's prior order in light of the *Williams*¹ decision. (Doc. No. 32.) The parties were granted fourteen days in which to file objections to the findings and recommendations. (*Id.*) The fourteen-day time period has expired, and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this 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 proper analysis.

¹ [Williams v. King](#), 875 F.3d 500 (9th Cir. 2017).

1 Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations entered by the magistrate judge on December 13, 2017, are ADOPTED in full;
2. Consistent with the magistrate judge's prior screening order issued on March 28, 2017, claims and defendants are DISMISSED from the Complaint as follows, for the reasons provided in the court's March 28, 2017, screening order:
 - (1) Defendants Correctional Officer M. Porter, Sergeant H. Adams, Chief Deputy Warden Anti, and J. Benevidez are DISMISSED from this action for Plaintiff's failure to state any claims under § 1983 against them upon which relief may be granted; and
 - (2) Plaintiff's claims based on supervisory liability and a false RVR report are DISMISSED from this action based on Plaintiff's failure to state a claim;
3. It appearing that all parties to this action have consented to magistrate judge jurisdiction, this case is ASSIGNED to Magistrate Judge Gary S. Austin for all purposes within the meaning of 28 U.S.C. § 636(c), to conduct any and all further proceedings in this case, including trial and entry of final judgment;
4. The Clerk of Court is DIRECTED to assign this action in its entirety to Magistrate Judge Gary S. Austin;
5. The new case number is 1:16-cv-00542-GSA-PC; and
6. This case is referred to Magistrate Judge Gary S. Austin for all further proceedings.

IT IS SO ORDERED.

Dated: January 10, 2018



SENIOR DISTRICT JUDGE