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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 SALADIN RUSHDAN aka
11 ROBERT STANLEY WOODS,

12 Plaintiff,

13 vs.

14 D. DAVEY, et al.,

15 Defendants.
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1:16-cv-00988-LJO-GSA-PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 29.)**

**ORDER FOR THIS CASE TO PROCEED
ONLY AGAINST DEFENDANT CASAS FOR
USE OF EXCESSIVE FORCE, AND
DISMISSING ALL OTHER CLAIMS AND
DEFENDANTS FOR VIOLATION OF RULE
18, WITHOUT PREJUDICE TO FILING
NEW CASES, AND FOR FAILURE TO
STATE A CLAIM
(ECF No. 28.)**

19 Saladan Rushdan aka Robert Stanley Woods (“Plaintiff”) is a state prisoner proceeding
20 *pro se* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a
21 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

22 On August 22, 2018, the court entered [findings and recommendations](#), recommending
23 that this action proceed only against defendant Casas for use of excessive force in violation of
24 the Eighth Amendment, and that all other claims and defendants be dismissed from this action
25 for violation of Rule 18 and failure to state a claim. (ECF No. 29.) On October 18, 2018, Plaintiff
26 filed [objections](#) to the findings and recommendations. (ECF No. 34.)

27 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
28 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,

1 including Plaintiff's objections, the court finds the findings and recommendations to be supported
2 by the record and proper analysis.

3 Accordingly, THE COURT HEREBY ORDERS that:

- 4 1. The findings and recommendations issued by the Magistrate Judge on August 22,
5 2018, are ADOPTED in full;
- 6 2. This action now proceeds only on Plaintiff's excessive force claim and related
7 state law claims against defendant C/O Casas;
- 8 2. All other claims and defendants are dismissed from this case for violation of Rule
9 18 of the Federal Rules of Civil Procedure, without prejudice to filing new cases
10 based on the dismissed claims, and for failure to state a claim;
- 11 3. Defendants D. Davey, C/O Roque, C/O Geston, Sergeant Solis, Sergeant Arnett,
12 Lieutenant T. Marsh, and C/O Geston are dismissed from this action for violation
13 of Rule 18;
- 14 4. Plaintiff's claims for violation of the Equal Protection Clause of the Fourteenth
15 Amendment and for adverse conditions of confinement under the Eighth
16 Amendment are dismissed from this action for violation of Rule 18, without
17 prejudice to filing new cases based on the dismissed claims;
- 18 5. Plaintiff's claims against defendant Casas for retaliation in violation of the First
19 Amendment are dismissed from this action based on Plaintiff's failure to state a
20 claim; and
- 21 6. This case is referred back to the Magistrate Judge for all further proceedings,
22 including initiation of service of process.

23
24 IT IS SO ORDERED.

25 Dated: October 19, 2018

/s/ Lawrence J. O'Neill
26 UNITED STATES CHIEF DISTRICT JUDGE