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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

RAYMOND ALFORD BRADFORD,	)	Case No.: 1:16-cv-01077-AWI-SAB (PC)
Plaintiff,	)	
v.	)	ORDER ADOPTING FINDINGS AND
E. KVICHKO,	)	RECOMMENDATIONS, DISMISSING CERTAIN
Defendant.	)	CLAIMS FOR FAILURE TO STATE A
	)	COGNIZABLE CLAIM FOR RELIEF
	)	
	)	[Doc. No. 4]
	)	

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Plaintiff Raymond Alford Bradford is appearing *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This 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 28, 2017, the assigned magistrate judge screened Plaintiff’s complaint and found that it stated a cognizable claim deliberate indifference to a serious medical need in violation of the Eighth Amendment against Defendant Kvichko. (Doc. No. 4.) The magistrate judge further recommended dismissing Plaintiff’s claim for a violation of his due process rights under the Fourteenth Amendment, with prejudice, for the failure to state a claim upon which relief may be granted. (*Id.*) Those findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 7.) On January 8, 2018, Plaintiff timely filed objections. (Doc. No. 6.) Plaintiff objects to the findings and

1 recommendations on the grounds that he has stated a due process violation against Defendant Kvichko  
2 based on false testimony that denied him a fair hearing. (Doc. No. 6.) The magistrate judge addressed  
3 that question and correctly concluded that, as testifying witness, Defendant Kvichko is absolutely  
4 immune with respect to that claim. *See Rehberg v. Paulk*, 566 U.S. 356, 367, 132 S. Ct. 1497, 1505,  
5 182 L. Ed. 2d 593 (2012); *Lisker v. City of Los Angeles*, 780 F.3d 1237, 1242 (9th Cir. 2015).

6 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de*  
7 *novo* review of the case. Having carefully reviewed the entire file, including Plaintiff's objections, the  
8 Court concludes that the findings and recommendations are supported by the record and by proper  
9 analysis.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. The findings and recommendations dated December 28, 2017, and filed on December  
12 29, 2017, (Doc. No. 4) are adopted in full;
- 13 2. Plaintiff's claim for a Fourteenth Amendment due process violation is dismissed, with  
14 prejudice, for the failure to state a claim; and
- 15 3. This case shall proceed on Plaintiff's claim for deliberate indifference to a serious  
16 medical need in violation of the Eighth Amendment against Defendant Kvichko.

17  
18 IT IS SO ORDERED.

19 Dated: February 2, 2018

  
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20 SENIOR DISTRICT JUDGE