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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF CALIFORNIA  
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7 TRAYVONE SMITH,  
8 Plaintiff,

9 v.

10 EMMANUEL J. FANTONE and  
11 JASWANT KHOKHAR,  
12 Defendants.

Case No. 1:16-cv-01179-LJO-EPG (PC)  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(ECF NOS. 23, 24, & 53)

13 Trayvone Smith (“Plaintiff”) is a former state prisoner proceeding *pro se* and *in forma*  
14 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred  
15 to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

16 On March 23, 2018, Magistrate Judge Erica P. Grosjean entered findings and  
17 recommendations, recommending that all claims, except for Plaintiff’s claim for deliberate  
18 indifference to serious medical needs against defendants Fantone and Khokhar and his claim  
19 for violation of due process against defendant Khokhar, be dismissed (with Plaintiff’s state law  
20 claims being dismissed without prejudice). (ECF No. 53, p. 8).

21 The parties were provided an opportunity to file objections to the findings and  
22 recommendations. The deadline for filing objections has passed and no objections have been  
23 filed.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this  
25 Court has conducted a de novo review of this case. Having carefully reviewed the entire file,  
26 the Court finds the findings and recommendations to be supported by the record and proper  
27 analysis.

28 Accordingly, THE COURT HEREBY ORDERS that:

- 1 1. The findings and recommendations issued by the magistrate judge on March 23,  
2 2018, are ADOPTED IN FULL;
- 3 2. All claims, except for Plaintiff's claim for deliberate indifference to serious medical  
4 needs against defendants Fantone and Khokhar and his claim for violation of due  
5 process against defendant Khokhar, are DISMISSED (Plaintiff's state law claims  
6 are dismissed without prejudice); and
- 7 3. This case is referred back to the magistrate judge for further proceedings.

8  
9 IT IS SO ORDERED.

10 Dated: April 23, 2018

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