



1 Plaintiff was given thirty days to file his objections to the findings and recommendations. (*Id.*)  
2 Plaintiff did not file any objections, and the time in which to do so has now passed.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the  
4 undersigned has conducted a *de novo* review of Plaintiff's case. The undersigned concludes that the  
5 findings and recommendations are supported by the record and by proper analysis.

6 Accordingly,

- 7 1. The findings and recommendations issued on November 9, 2017 (Doc. No. 43) are adopted in  
8 full;
- 9 2. This action shall proceed against Officers C. Hernandez, Flores-Alvarenga, Zuniga, and  
10 Cramer for excessive force in violation of the Eighth Amendment and retaliation in violation of  
11 the First Amendment, and against Officer C. Hernandez for deliberate indifference to  
12 Plaintiff's serious medical needs in violation of the Eighth Amendment;
- 13 3. All other claims against Officers C. Hernandez, Flores-Alvarenga, Zuniga, and Cramer are  
14 dismissed without leave to amend for failure to state a claim;
- 15 4. Plaintiff's claims against Officer Montanez and Sergeant Carranza are dismissed without  
16 prejudice as improperly joined in this action pursuant to Rule 20 of the Federal Rules of Civil  
17 Procedure; and
- 18 5. Plaintiff's claim for injunctive relief is dismissed as moot.

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20 IT IS SO ORDERED.

21 Dated: July 9, 2018

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