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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRODERICK R. FIELDS,
Plaintiff,
v.
M. STURKEY et al.,
Defendants.

No. 1:16-cv-01430-DAD-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

(Doc. No. 13)

Plaintiff Broderick R. Fields is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983.

On June 7, 2017, the assigned magistrate judge screened plaintiff's complaint under 28 U.S.C. § 1915A, and found that it stated a cognizable claim against defendant Ruiz for violation of the Due Process Clause of the Fourteenth Amendment, but failed to state any other cognizable claims. (Doc. No. 11.) The court therefore provided plaintiff with an opportunity to amend his complaint or notify the court of his willingness to proceed only on the claims found by the court to be cognizable. (*Id.*) On June 21, 2017, plaintiff notified the court of his intention to proceed only on his cognizable claims. (Doc. No. 12.)

On June 22, 2017, the magistrate judge issued findings and recommendations, recommending (1) that this action proceed on plaintiff's claim against defendant Ruiz for

1 violation of the Due Process Clause of the Fourteenth Amendment; (2) that plaintiff's remaining
2 claims be dismissed from this action; and (3) that defendants Sturkey, Garcia, Risehoover,
3 Abraham, and Frauenheim be dismissed from this action. (Doc. No. 13.) The findings and
4 recommendations were served on plaintiff and contained notice that any objections thereto were
5 to be filed within fourteen days after service. (*Id.*) More than fourteen days have passed, and no
6 objections have been filed.

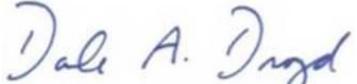
7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
8 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
9 and recommendations to be supported by the record and by proper analysis.

10 Accordingly,

- 11 1. The June 22, 2017 findings and recommendations (Doc. No. 13) are adopted in full;
- 12 2. This action shall proceed on plaintiff's complaint (Doc. No. 1), against defendant Ruiz
13 for violation of the Due Process Clause of the Fourteenth Amendment;
- 14 3. All other claims and defendants are dismissed from this action; and
- 15 4. This action is referred back to the assigned magistrate judge for further proceedings
16 consistent with this order.

17 IT IS SO ORDERED.

18 Dated: September 7, 2017

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21 UNITED STATES DISTRICT JUDGE
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