

1 amend his complaint, the magistrate judge dismissed all other claims and defendants, with
2 prejudice, for the failure to state a claim. (Doc. No. 12.) The case then proceeded on Plaintiff's
3 cognizable claims.

4 On December 15, 2017, the magistrate judge reinstated Plaintiff's previously dismissed
5 claims, recognizing that a recent Ninth Circuit opinion, *Williams v. King*, 875 F.3d 500 (9th Cir.
6 2017), had held that a magistrate judge does not have jurisdiction to dismiss claims with
7 prejudice in screening prisoner complaints even if a plaintiff has consented to magistrate judge
8 jurisdiction, as plaintiff had here. (Doc. No. 23.) Concurrently, the magistrate judge issued
9 findings and recommendations recommending that the undersigned dismiss those reinstated
10 claims. (*Id.*) Plaintiff was given fourteen days to file his objections to those findings and
11 recommendations. That deadline has passed, and no objections were filed.

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

15 Accordingly, it is HEREBY ORDERED that:

- 16 1. The findings and recommendations dated December 15, 2017 (Doc. No. 23), are
17 adopted in full;
- 18 2. Defendant Chanelo is dismissed for the failure to state a claim upon which relief
19 may be granted; and
- 20 3. This action proceeds solely on Plaintiff's claim for excessive force in violation of
21 the Eighth Amendment against Defendants Hernandez, Stane, Stinson, Chambers, and Denney.

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23
24 IT IS SO ORDERED.

25 Dated: January 11, 2018

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