

1 cognizable. (Doc. No. 22.) On June 13, 2018, plaintiff notified the court in writing that he does
2 not wish to file a second amended complaint and is willing to proceed only on the claims found
3 cognizable by the court at screening, dismissing all remaining claims. (Doc. No. 24.)


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

7 Accordingly,

- 8 1. The findings and recommendations issued by the magistrate judge on April 19,
9 2018 (Doc. No. 19) are adopted in full;
- 10 2. This case now proceeds only against defendants Sergeant Gonzales, Correctional
11 Officer (“C/O”) Johnson, C/O Castro, C/O Miner, C/O Florez, and C/O Potzernitz
12 for use of excessive force in violation of the Eighth Amendment; against
13 defendants C/O Fritz and C/O Scaife for failure to protect plaintiff in violation of
14 the Eighth Amendment; and against defendant Sergeant Gonzales for retaliation in
15 violation of the First Amendment;
- 16 3. Defendant C/O Gonzales is dismissed from this action based on plaintiff’s failure
17 to state any claims against him;
- 18 4. Plaintiff’s claims relating to an alleged improper strip search, due process
19 violations, false reports, deprivation of personal property, detention in
20 administrative segregation, loss of good-time credits, loss of privileges, improper
21 appeals process, and cover-up are dismissed, based on plaintiff’s failure to state a
22 claim upon which relief may be granted; and
- 23 5. This case is referred back to the magistrate judge for further proceedings,
24 including initiation of service of process.

25 IT IS SO ORDERED.

26 Dated: October 4, 2018

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28 UNITED STATES DISTRICT JUDGE