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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JERRY LEE KING,

Plaintiff,

v.

R. VILLEGAS, et al.,

Defendants.

Case No. 1:17-cv-00676-AWI-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND
DISMISSING CLAIMS AND
DEFENDANTS

(ECF NOS. 1 & 15)

Jerry King (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. This case now proceeds on Plaintiff’s original complaint, which was filed on May 17, 2017. (ECF No. 1).

On January 8, 2018, Magistrate Judge Erica P. Grosjean entered an order, finding that Plaintiff stated cognizable claims for excessive force in violation of the Eighth Amendment against defendants R. Villegas and P. Cruz, but failed to state any other claims. (ECF No. 10, p. 8). After Plaintiff stated that he was willing to proceed only on the claims Judge Grosjean found cognizable (ECF No. 11), the Court issued an order authorizing service on defendants R. Villegas and P. Cruz. (ECF No. 14). On February 8, 2018, Judge Grosjean entered findings and recommendations, recommending that all other claims and defendants be dismissed from this action, with prejudice. (ECF No. 15, p. 2).

1 Plaintiff was provided an opportunity to file objections to the findings and
2 recommendations. The period for filing objections has passed, and Plaintiff has not filed
3 objections or otherwise responded to the findings and recommendations.

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,
6 the Court finds the findings and recommendations to be supported by the record and proper
7 analysis.

8 Accordingly, THE COURT HEREBY ORDERS that:

- 9 1. The findings and recommendations issued by the Magistrate Judge on February 8,
10 2018, are ADOPTED in full;
- 11 2. All claims and defendants are DISMISSED with prejudice, except for Plaintiff's
12 claims for excessive force in violation of the Eighth Amendment against defendants
13 R. Villegas and P. Cruz;
- 14 3. The Clerk of Court is DIRECTED to reflect the dismissal of defendant J. Curry on
15 the Court's docket; and
- 16 4. This case is referred back to the Magistrate Judge for further proceedings.

17 IT IS SO ORDERED.

18 Dated: March 30, 2018

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20 SENIOR DISTRICT JUDGE