# UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA 

TONY R. LEWIS,
Plaintiff,
v.

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, et al.,

Defendants.

No. 1:17-cv-01064-DAD-EPG

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING CERTAIN CLAIMS AND DEFENDANTS
(Doc. No. 11)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. On August 9, 2017, plaintiff filed the complaint commencing this action. (Doc. No. 1). On March 23, 2018, the assigned magistrate judge issued findings and recommendations recommending that all claims and defendants be dismissed, except for plaintiff's claims for excessive use of force in violation of the Eighth Amendment brought against defendants B. Nickell, J. Ramirez and O. Delgado. (Doc. No. 11.) The findings and recommendations provided fourteen days for plaintiff to file any objections thereto. Plaintiff did not file any objections.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the undersigned has conducted a de novo review of the case. Having carefully reviewed the file, the undersigned concludes the findings and recommendations are supported by the record and proper analysis.

Accordingly:

1. The findings and recommendations dated March 23, 2018 (Doc. No. 11) are adopted in full; and
2. All claims and defendants are dismissed, except for plaintiff's claims for excessive use of force in violation of the Eighth Amendment brought against defendants B. Nickell, J. Ramirez and O. Delgado.

## IT IS SO ORDERED.

Dated: June 21, 2018


