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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 PRECILIANO TOMAS CHAIDEZ,

12 Plaintiff,

13 v.

14 CAMACHO, et al.,

15 Defendants.  
16  
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No. 1:17-cv-01098-DAD-GSA

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CERTAIN CLAIMS AND DEFENDANTS

(Doc. No. 14)

18 Plaintiff Preciliano Tomas Chaidez is a state prisoner proceeding *pro se* and *in forma*  
19 *pauperis* with this civil rights action brought pursuant to 42 U.S.C. § 1983. The matter was  
20 referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule  
21 302.

22 On August 20, 2018, the assigned magistrate judge issued findings and recommendations,  
23 recommending that this action proceed only against defendant correctional officer (C/O)  
24 Camacho for use of excessive force under the Eighth Amendment, and that all other claims be  
25 dismissed from this action based on plaintiff's failure to state a claim. (Doc. No. 14.) The  
26 findings and recommendations were served on plaintiff and contained notice that any objections  
27 thereto were to be filed within fourteen days after service. (*Id.*) To date, no objections to the  
28 findings and recommendations have been filed, and the time in which to do so has now passed.

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

4 Accordingly,

- 5 1. The findings and recommendations issued on August 20, 2018 (Doc. No. 14) are  
6 adopted in full;
- 7 2. This action now proceeds only against defendant C/O Camacho for use of  
8 excessive force under the Eighth Amendment;
- 9 3. All remaining claims and defendants are dismissed from this action; and
- 10 4. This case is referred back to the magistrate judge for further proceedings,  
11 including initiation of service of process.

12 IT IS SO ORDERED.

13 Dated: **November 15, 2018**

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UNITED STATES DISTRICT JUDGE