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| 8 | UNITED STATES DISTRICT COURT | | |
| 9 | FOR THE EASTERN DISTRICT OF CALIFORNIA | | |
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| 11 | WILLIAM J. GRADFORD, | No. 1:17-cv-01248-DAD-GSA | |
| 12 | Plaintiff, | | |
| 13 | V. | ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING | |
| 14 | STANISLAUS PUBLIC SAFETY CENTER, et al., | CERTAIN CLAIMS AND DEFENDANTS | |
| 15 | Defendants. | (Doc. No. 19) | |
| 16 | Dorondunts. | | |
| 17 | | | |
| 18 | Plaintiff William J. Gradford is a former prisoner proceeding pro se and in forma pauperis | | |
| 19 | with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United | | |
| 20 | States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. | | |
| 21 | On June 10, 2019, the assigned magistrate judge issued findings and recommendations, | | |
| 22 | recommending that this action proceed only against defendant Sergeant Florres for using | | |
| 23 | excessive force against plaintiff, and that all other claims and defendants be dismissed from this | | |
| 24 | case. (Doc. No. 19.) On June 17, 2019, plaintiff filed a response to the findings and | | |
| 25 | recommendations, indicating that he is willing to proceed only against defendant Florres and does | | |
| 26 | not object to the dismissal of all other defendants and claims. (Doc. No. 20.) | | |
| 27 | In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this | | |
| 28 | court has conducted a <i>de novo</i> review of this case. Having carefully reviewed the entire file, | | |
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| 1 | including plaintiff's response, the court finds the findings and recommendations to be supported | | |
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| 2 | by the record and proper analysis. | | |
| 3 | Accordingly, | | |
| 4 | 1. | The findings and recommen | ndations issued on June 10, 2019 (Doc. No. 19) are |
| 5 | | adopted in full; | |
| 6 | 2. | This action now proceeds with plaintiff's first amended complaint, filed on August | |
| 7 | | 22, 2018 (Doc. No. 15), aga | ainst defendant Sergeant Florres for use of excessive |
| 8 | | force against plaintiff in vio | plation of the Eighth Amendment; |
| 9 | 3. | All other claims and defend | lants are dismissed, and the Clerk of Court is directed to |
| 10 | | update the docket to reflect | the dismissal of all defendants except defendant |
| 11 | | Florres; and | |
| 12 | 4. | . This case is referred back to the magistrate judge for further proceedings, | |
| 13 | including initiation of service of process. | | |
| 14 | IT IS SO ORDERED. | | |
| 15 | Dated: | August 15, 2019 | Dale A. Drogd |
| 16 | Duica. <u>Mugust 10, 201</u> | UNITED STATES DISTRICT JUDGE | |
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