UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

JAMES C. McCURDY,	Case No.: 1:17-cv-01356-LJO-SAB (PC)
Plaintiff, v. S. KERNAN, et al., Defendants.	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, DISMISSING CERTAIN CLAIMS AND DEFENDANTS, AND REFERRING MATTER BACK TO THE MAGISTRATE JUDGE FOR INITIATION OF SERVICE OF PROCESS IECE Nos. 16, 171
) [ECF Nos. 16, 17]

Plaintiff James C. McCurdy is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On October 30, 2017, the Magistrate Judge filed Findings and Recommendations, recommending that this action proceed against Defendant Bautista for excessive force in violation of the Eighth Amendment and battery under California law. (ECF No. 17.) It was recommended that all other claims and defendants be dismissed for failure to state a cognizable claim for relief. (Id.) The Findings and Recommendations were served on Plaintiff and contained notice that objections were to be filed within thirty days. (Id.) To date, no objections have been filed, and the time for doing so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

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