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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEVONTE B. HARRIS,  
Plaintiff,  
v.  
T. QUILLEN, et al.,  
Defendants.

No. 1:17-cv-01370-DAD-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

(Doc. No. 11)

Plaintiff Devonte B. Harris is appearing pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On October 20, 2017, the assigned magistrate judge screened plaintiff’s complaint and found that it stated a cognizable claim against defendants Sandor, Molina, Thomas, and Bugarin for retaliation, and against defendants Quillen, Carranza, Alvarado, Hurtado, Perez, and Magana for excessive use of force, but that his remaining claims as alleged were not cognizable. (Doc. No. 5.) Plaintiff was given the opportunity to amend the complaint or notify the court of his intent to proceed only on the claims found cognizable. (*Id.*) On December 8, 2017, plaintiff notified the court of his intent to proceed only on the claims found cognizable in the October 20, 2017 screening order. (Doc. No. 10.)

Therefore, on December 12, 2017, the magistrate judge issued findings and recommendations recommending that this action proceed on plaintiff’s claim against defendants

1 Sandor, Molina, Thomas, and Bugarin for retaliation, and against defendants Quillen, Carranza,  
2 Alvarado, Hurtado, Perez, and Magana for excessive force, and that all other claims and  
3 defendants be dismissed from the action for failure to state a cognizable claim. (Doc. No. 11.)  
4 The findings and recommendations were served on plaintiff and contained notice that objections  
5 thereto were to be filed within fourteen days. No objections were filed and the time period to do  
6 has passed.

7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the  
8 undersigned has conducted a *de novo* review of plaintiff's case. The undersigned concludes the  
9 findings and recommendations are supported by the record and proper analysis. Accordingly:

- 10 1. The findings and recommendations issued December 12, 2017 (Doc. No. 11) are  
11 adopted in full;
- 12 2. This action shall proceed against defendants Sandor, Molina, Thomas, and Bugarin for  
13 retaliation, and against defendants Quillen, Carranza, Alvarado, Hurtado, Perez, and  
14 Magana for excessive use of force;
- 15 3. All other claims and defendants are dismissed from the action for failure to state a  
16 cognizable claim for relief; and
- 17 4. The matter is referred back to the magistrate judge for initiation of service of process.

18 IT IS SO ORDERED.

19 Dated: February 15, 2018

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22 UNITED STATES DISTRICT JUDGE  
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