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7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA

9
10 ROBERT M. COLVIN,) 1:17-cv-01489-LJO-BAM (PC)
11 Plaintiff,)
12 vs.) ORDER ADOPTING FINDINGS AND
13) RECOMMENDATIONS, AND DISMISSING
14 SANCHEZ, et al.,) CERTAIN CLAIMS AND DEFENDANTS
15 Defendants.) (Doc. No. 11)
16)

17 Plaintiff Robert M. Colvin is a state prisoner proceeding *pro se* and *in forma pauperis* in
18 this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On June 10, 2018, the assigned Magistrate Judge issued findings and recommendations
21 recommending that this action proceed only on Plaintiff's claim for excessive force in violation
22 of the Eighth Amendment against Defendants Cullen, Mesa, Lopez, Garcia, Ibarra and Waddel
23 in their individual capacities, and for deliberate indifference to serious medical needs in violation
24 of the Eighth Amendment against Defendants Garcia, Martinez and Smith in their individual
25 capacities. (Doc. No. 11.) The Magistrate Judge further recommended that all other claims and
26 Defendants be dismissed, with prejudice. The findings and recommendations were served on
27 Plaintiff and contained notice that any objections must be filed within fourteen days. (*Id.* at 10.)
28 That deadline has passed, and no objections were filed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted
2 a *de novo* review of this case and carefully reviewed the entire file. The Court finds that the
3 findings and recommendations are supported by the record and by proper analysis.

4 Accordingly, the Court HEREBY ORDERS as follows:

5 1. The findings and recommendations issued on June 10, 2018 (Doc. No. 11) are
6 adopted in full;

7 2. This action shall proceed only on Plaintiff's claim for excessive force in violation
8 of the Eighth Amendment against Defendants Cullen, Mesa, Lopez, Garcia, Ibarra and Waddell
9 in their individual capacities, and for deliberate indifference to serious medical needs in violation
10 of the Eighth Amendment against Defendants Garcia, Martinez and Smith in their individual
11 capacities;

12 3. All other claims and defendants are dismissed;

13 4. The caption and docket shall be updated to reflect this order; and

14 5. This matter is referred to the assigned Magistrate Judge for further proceedings
15 consistent with this order, including initiation of service of process.

16
17 IT IS SO ORDERED.

18 Dated: July 7, 2018

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE