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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN MCLAUGHLIN,
Plaintiff,
v.
J. CASTRO, et al.,
Defendants.

No. 1:17-cv-01597-DAD-JLT

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS

(Doc. No. 17)

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

On June 20, 2019, the assigned magistrate judge issued findings and recommendations, recommending that this action proceed only on the following claims: (1) a First Amendment retaliation claim against defendants Riley, Magallanes, Castro, Perez, and DeAcedo; (2) a Fourteenth Amendment due process claim against defendant Amaya; and (3) a Fourteenth Amendment equal protection claim against defendants Castro and Magallanes. (Doc. No. 17.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. Thereafter, on July 8, 2019, plaintiff filed a notice of voluntary dismissal of his Fourteenth Amendment due process claim, in

1 which he also states that he wishes to proceed only on those claims found to be cognizable in the
2 findings and recommendations. (Doc. No. 19.)

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

6 Accordingly,

- 7 1. The findings and recommendations issued on June 20, 2019 (Doc. No. 17) are
8 adopted in full;
- 9 2. This action shall proceed on a First Amendment retaliation claim against
10 defendants Riley, Magallanes, Castro, Perez, and DeAcedo, and a Fourteenth
11 Amendment equal protection claim against defendants Castro and Magallanes;
- 12 3. All other claims are hereby dismissed with prejudice; and
- 13 4. This case is referred back to the assigned magistrate judge for further proceedings.

14 IT IS SO ORDERED.

15 Dated: September 5, 2019

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18 UNITED STATES DISTRICT JUDGE
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