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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER LIPSEY, JR.,
Plaintiff,
v.
D. DAVEY, et al.,
Defendants.

No. 1:17-cv-01706-DAD-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

(Doc. Nos. 19, 20, 21)

Plaintiff Christopher Lipsey, Jr. 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 22, 2018, the assigned magistrate judge issued findings and recommendations, recommending that this action proceed only on plaintiff’s retaliation and California Bane Act claims brought against defendant A. Randolph, and that all other claims and defendants be dismissed from the action due to plaintiff’s failure to state a cognizable claim for relief. (Doc. No. 20.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 12.) On June 5, 2018, plaintiff filed a response stating that he had no objections to the findings and recommendations. (Doc. No. 21.)

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

5 Accordingly,

- 6 1. The findings and recommendations issued on June 22, 2018 (Doc. No. 20) are
7 adopted in full;
- 8 2. This action shall proceed only on plaintiff's retaliation and California Bane Act
9 claims against defendant A. Randolph;
- 10 3. All other claims and defendants are dismissed from this action due to plaintiff's
11 failure to state a cognizable claim for relief; and
- 12 4. This matter is referred back to the assigned magistrate judge for further
13 proceedings consistent with this order, including initiation of service of process.

14 IT IS SO ORDERED.

15 Dated: August 21, 2018

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18 UNITED STATES DISTRICT JUDGE
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