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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

LAWTIS DONALD RHODEN,)	Case No.: 1:18-cv-00101-LJO-SAB (PC)
)	
Plaintiff,)	
)	
v.)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS, DISMISSING ACCESS
)	TO THE COURTS AND MEDICAL CLAIMS,
DEPARTMENT OF STATE HOSPITALS,)	AND REFERRING MATTER BACK TO THE
et al.,)	MAGISTRATE JUDGE FOR INITIATION OF
)	SERVICE OF PROCESS
Defendants.)	
)	[ECF Nos. 29, 30]

Plaintiff Lawtis Donald Rhoden is a civil detainee appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

On May 30, 2018, the Magistrate Judge filed Findings and Recommendations, recommending that this action proceed on Plaintiff’s due process claim against Defendants Pam Ahlin and Brandon Price and free exercise of religion claim against Defendant Brandon Price. (ECF No. 30.) It was recommended that Plaintiff’s access to the courts and medical claims 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 twenty-one (21) days. (Id.)

On June 14, 2018, Plaintiff filed a notice indicating that he does not object to the Findings and Recommendations. (ECF No. 31.)

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

4 Accordingly, it is HEREBY ORDERED that:

- 5 1. The May 20, 2018, Findings and Recommendations (ECF No. 30) are adopted in full;
- 6 2. This action shall proceed on Plaintiff's due process claim against Defendants Pam
7 Ahlin and Brandon Price and free exercise of religion claim against Defendant Brandon Price;
- 8 3. Plaintiff's access to the courts and medical claims are dismissed for failure to state a
9 cognizable claim for relief; and
- 10 4. The matter is referred back to the assigned Magistrate Judge for initiation of service of
11 process.

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13 IT IS SO ORDERED.

14 Dated: June 15, 2018

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