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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 COREY WILLIAMS,
12 Plaintiff,
13 v.
14 BRANDON PRICE, et al.,
15 Defendants.

Case No. 1:18-cv-00102-LJO-SAB (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 32)

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17 Plaintiff Corey Williams, a civil detainee, is appearing pro se and in forma pauperis in this
18 civil rights action pursuant to 42 U.S.C. § 1983. On September 28, 2018, Plaintiff filed a second
19 amended complaint which was referred to a United States magistrate judge pursuant to 28 U.S.C.
20 § 636(b)(1)(B) and Local Rule 302.

21 On September 28, 2018, the magistrate judge filed a findings and recommendations. The
22 findings and recommendations recommended dismissing certain claims without leave to amend.
23 The findings and recommendations was served on Plaintiff and contained notice that any
24 objections to the findings and recommendations were to be filed within thirty (30) days from the
25 date of service. The period for filing objections has passed and no objections have been filed.

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

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations, filed September 28, 2018, is ADOPTED IN
3 FULL;
- 4 2. This action shall proceed against Defendants Ahlin and Price in their official
5 capacity for substantive due process violations of the Fourteenth Amendment based
6 on the allegations that the amendment to section 4350 of Title 9 of the California
7 Code of Regulations is punitive in nature and the regulation is overly broad as it
8 prohibits devices not capable of connecting to the internet or having memory
9 storage capability; and on the procedural due process claim against Defendant Price
10 for implementing a policy more restrictive than section 4350;
- 11 3. All other claims are dismissed without leave to amend for failure to state a claim;
- 12 4. The individual capacity claims against Defendants Ahlin and Price are dismissed
13 without leave to amend; and
- 14 5. This action is referred back to the magistrate judge for initiation of service of
15 process.

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18 IT IS SO ORDERED.

19 Dated: November 8, 2018

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