

1 As a result, the Court will recommend that this action only proceed on the claim identified
2 above, and all other claims and defendants be dismissed for the reasons stated in the Court's February
3 12, 2018 screening order. Fed. R. Civ. P. 8(a); Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009); Bell
4 Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007); Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir.
5 2010).

6 Accordingly, it is HEREBY RECOMMENDED that:

- 7 1. This action proceed on Plaintiff's claim against Defendants A. Gomez, E. Weiss, Y.
8 Sazo, C. Gray, J. Busby, Rodriguez, and J. Doe Nos 1 and 2 for excessive force;
- 9 2. All other claims and defendants be dismissed for failure to state a claim upon which
10 relief could be granted, consistent with the Court's February 12, 2018 order; and
- 11 3. The Clerk of Court is directed to randomly assign a District Judge to this action.

12 These findings and recommendations will be submitted to the United States District Judge
13 assigned to the case, pursuant to the provision of 28 U.S.C. §636 (b)(1)(B). Within **fourteen (14) days**
14 after being served with these Finding and Recommendations, Plaintiff may file written objections with
15 the Court. The document should be captioned "Objections to Findings and Recommendations."
16 Plaintiff is advised that failure to file objections within the specified time may result in the waiver of
17 rights on appeal. Wilkerson v. Wheeler, 772 F.2d F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v.
18 Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

19
20 IT IS SO ORDERED.

21 Dated: March 6, 2018


22 UNITED STATES MAGISTRATE JUDGE