UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

	TRACYE BENARD WASHINGTON,) Case No.: 1:18-cv-00564-LJO-SAB (PC)
	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, ALLOWING ACTION
	v.	TO PROCEED ON PLAINTIFF'S EXCESSIVE FORCE CLAIM, AND DISMISSING ALL OTHER
	E. STARK, et.al.,	CLAIMS AND DEFENDANTS FOR FAILURE TO STATE A COGNIZABLE CLAIM FOR RELIEF
	Defendants.) [ECF Nos. 1, 9, 12, 14]
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Plaintiff Tracye Benard Washington is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 15, 2018, the Court screened Plaintiff's complaint and found that it stated a cognizable claim for excessive force against Defendants Hicks and Rocha. (ECF No. 9.) Plaintiff was granted an opportunity to amend his complaint, or notify the Court that he is agreeable to proceeding only on the excessive force identified as cognizable. (<u>Id.</u>)

On May 31, 2018, Plaintiff notified the Court that he wished to proceed only on the excessive force and dismiss all other claims. (ECF No. 12.)

As a result, on June 4, 2018, the Magistrate Judge issued Findings and Recommendations recommending that this action only proceed on the excessive force claim against Defendants Hicks and Rocha, and all other claims and Defendants be dismissed for the reasons stated in the Court's May 15, 2018, screening order. (ECF No. 14.) The Findings and Recommendations were served on

Plaintiff and contained notice that objections were to be filed within fourteen (14) days. Over fourteen days have passed and no objections have been filed. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis. Accordingly, IT IS HEREBY ORDERED that: 1. The Findings and Recommendations, filed on June 4, 2018, are adopted in full; 2. This action shall proceed on Plaintiff's excessive force claim against Defendants Hicks and Rocha; and 3. All other claims and Defendants are dismissed from the action for failure to state a cognizable claim for relief. IT IS SO ORDERED. /s/ Lawrence J. O'Neill Dated: **June 26, 2018** UNITED STATES CHIEF DISTRICT JUDGE