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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF CALIFORNIA  
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8 MARK LEE BARBOZA,  
9 Plaintiff,  
10 v.  
11 SEAN STENGEL,  
12 Defendant.  
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Case No. 1:18-cv-00580-LJO-EPG (PC)  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(ECF NOS. 1 & 11)

14 Mark Barboza (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis*  
15 in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a  
16 United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

17 On October 4, 2018, Magistrate Judge Erica P. Grosjean entered findings and  
18 recommendations, recommending “that all claims be dismissed, except for Plaintiff’s claim  
19 against Defendant Sean Stengel for excessive force in violation of the Eighth Amendment.”  
20 (ECF No. 11, p. 2).

21 Plaintiff was provided an opportunity to file objections to the findings and  
22 recommendations. The deadline for filing objections has passed and Plaintiff has not filed  
23 objections.

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

28 Accordingly, THE COURT HEREBY ORDERS that:

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1. The findings and recommendations issued by the magistrate judge on October 4, 2018, are ADOPTED in full; and
2. All claims are dismissed, except for Plaintiff's claim against Defendant Sean Stengel for excessive force in violation of the Eighth Amendment.

IT IS SO ORDERED.

Dated: November 24, 2018

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