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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN JOSEPH SORIA,
Plaintiff,
v.
RAFEL ZUNGIA, et al.,
Defendants.

No. 1:18-cv-0635-NONE-JLT (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT
(Doc. Nos. 44, 38)

Plaintiff Steven Joseph Soria, a federal prisoner proceeding *pro se*, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On August 25, 2021, the assigned magistrate judge issued findings and recommendations recommending that defendants be granted summary judgment in their favor because plaintiff failed to exhaust the administrative remedies available to him prior to filing suit as required. (Doc. No. 44.) The magistrate judge found that, although plaintiff had exhausted two inmate grievances, those grievances concerned sanctions imposed upon plaintiff for alleged workplace safety violations, rather than medical care claims related to injuries allegedly suffered by plaintiff which are the basis for his claims in this civil action. The magistrate judge concluded that
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1 plaintiff did not file and exhaust an inmate grievance regarding the Eighth Amendment violations
2 asserted in his claims in this case.

3 Plaintiff timely filed objections to the pending findings and recommendations. (Doc. No.
4 45.) Therein, he points to prison records indicating that he mentioned his injuries to prison
5 officials in the context of grieving the safety violation sanctions imposed upon him. (Doc. No. 45
6 at 3 (“due to my injury, my previous sanction of extra duty and [sic] I was in pain due to my lack
7 of medical care”); *id.* at 2 (“I had already satisfied ten hours of extra duty as imposed . . . by
8 pulling weeds . . . with an injured hand still wrapped in bandages.”).) The magistrate judge
9 already considered these records and grievances, correctly concluding that they did not put
10 defendants on notice of the constitutional violations asserted in this case. In sum, the court finds
11 the findings and recommendations to be supported by the record and by the magistrate judge’s
12 analysis. Accordingly, the court orders that:

- 13 1. The findings and recommendations filed on September 9, 2021, (Doc. No. 44), are
14 adopted in full;
- 15 2. Defendants’ motion for summary judgment (Doc. No. 38) is GRANTED; and
- 16 3. The Clerk of the Court is directed to close the case.

17 IT IS SO ORDERED.

18 Dated: October 13, 2021

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20 UNITED STATES DISTRICT JUDGE