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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARQUISE GRADY,
Plaintiff,
v.
C. GUTIERREZ, et al.,
Defendants.

No. 1:18-cv-00922-DAD-JDP

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS THAT NON-
COGNIZABLE CLAIMS BE DISMISSED

(Doc. No. 13)

Plaintiff Marquise Grady is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 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 September 9, 2019, the assigned magistrate judge recommended that plaintiff be allowed to proceed on due process claims against defendants Gutierrez, Jaime, Voong, and Lee. (Doc. No. 13.) The magistrate judge also recommended that the remainder of plaintiff's claims be dismissed without prejudice. (*Id.* at 1.)¹ The findings and recommendations were served on plaintiff and contained notice that any objections were to be filed within fourteen (14) days after service. (*Id.* at 2.) Plaintiff has not filed any objections, and the time to do so has since passed.

¹ On September 6, 2019, plaintiff filed a notice with the court indicating that he was willing to proceed only on those claims found to be cognizable in the July 3, 2019 screening order. (Doc. No. 12.)

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

4 Accordingly,

- 5 1. The findings and recommendations issued on September 9, 2019 (Doc. No. 13) are
6 adopted in full;
- 7 2. This action shall proceed on plaintiff's due process claims against defendants
8 Gutierrez, Jaime, Voong, and Lee;
- 9 3. All other claims and defendants are dismissed; and
- 10 4. This matter is referred back to the assigned magistrate judge for further
11 proceedings consistent with this order.

12 IT IS SO ORDERED.

13 Dated: November 19, 2019

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16 UNITED STATES DISTRICT JUDGE
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