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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID JOSEPH MADRID,  
Plaintiff,

v.

KATHLEEN ALLISON, et al.,  
Defendants.

No. 1:18-cv-00947-DAD-EPG

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CERTAIN CLAIMS AND DEFENDANTS

(Doc. Nos. 1, 18)

Plaintiff David Joseph Madrid 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 24, 2018, the assigned magistrate judge issued findings and recommendations, recommending that this action proceed only against defendants A. De La Cruz and M. Lopez on claims for deliberate indifference to serious medical needs, retaliation, unreasonable search, and excessive force, and that all other claims and defendants be dismissed. (Doc. No. 18). The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within twenty-one days after service. (*Id.* at 13.) On October 11, 2018, plaintiff filed objections. (Doc. No. 19.)

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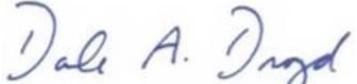
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this  
2 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,  
3 including plaintiff's objections, the court finds the findings and recommendations to be supported  
4 by the record and proper analysis. Plaintiff's objections do not call into question the conclusions  
5 reached by the assigned magistrate judge.

6 Accordingly,

- 7 1. The findings and recommendations issued by the magistrate judge on September  
8 24, 2018 (Doc. No. 18) are adopted in full;
- 9 2. This case proceeds against defendants A. De La Cruz and M. Lopez on plaintiff's  
10 claims for deliberate indifference to serious medical needs, retaliation,  
11 unreasonable search, and excessive force;
- 12 3. All other claims and defendants are dismissed, as discussed in the findings and  
13 recommendations;
- 14 4. The Clerk of Court is directed to reflect the dismissal of all defendants on the  
15 court's docket, except for defendants A. De La Cruz and M. Lopez; and
- 16 5. This case is referred back to the magistrate judge for further proceedings.

17 IT IS SO ORDERED.

18 Dated: December 4, 2018

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21 UNITED STATES DISTRICT JUDGE  
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