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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EUGENE C. BROWN,
Plaintiff,
v.
C. CHOTHIA, et al.,
Defendants.

No. 1:19-cv-00352-DAD-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 15)

Plaintiff Eugene C. Brown is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action 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 of the United States District Court for the Eastern District of California.

On July 12, 2019, the assigned magistrate judge entered findings and recommendations recommending that plaintiff's complaint be allowed to proceed against defendants C. Chothia, A. Shaw, L. Kempe, C. Jukes, M. Gilmore, J. Walker, M. Crutchfield, K.Z. Allen, D. Artis, and C. Patillo for deliberate indifference to serious risk of harm in violation of the Eighth Amendment; and against defendants C. Jukes, M. Londono, and M. Crutchfield for retaliation in violation of the First Amendment. (Doc. No. 15 at 2.) In addition, the magistrate judge recommended that all other claims and defendants be dismissed for failure to state a claim. (*Id.*) Plaintiff was provided

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1 an opportunity to file objections to the findings and recommendations within fourteen days.
2 Plaintiff has not filed any objections and the time to do so has passed.

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

7 Accordingly:

- 8 1. The findings and recommendations issued by the magistrate judge on July 12,
9 2019 (Doc. No. 15) are adopted in full;
- 10 2. This action now proceeds against defendants C. Chothia, A. Shaw, L. Kempe, C.
11 Jukes, M. Gilmore, J. Walker, M. Crutchfield, K.Z. Allen, D. Artis, and C. Patillo
12 for deliberate indifference to serious risk of harm in violation of the Eighth
13 Amendment; and against defendants C. Jukes, M. Londono, and M. Crutchfield for
14 retaliation in violation of the First Amendment;
- 15 3. All remaining claims, including all claims against defendant H. B. Anglea, are
16 dismissed with prejudice for failure to state a claim; and
- 17 4. This case is referred back to the assigned magistrate judge for further proceedings.

18 IT IS SO ORDERED.

19 Dated: September 6, 2019

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22 UNITED STATES DISTRICT JUDGE
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