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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRED JAY JACKSON,
Plaintiff,
v.
LYLE D. GRIFFITH,
Defendant.

No. 1:20-cv-00073-DAD-SKO (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 24)

Plaintiff Fred Jay Jackson is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 13, 2022, following the screening of plaintiff’s second amended complaint, the magistrate judge issued findings and recommendations, recommending that the court dismiss plaintiff’s procedural due process, equal protection, and access to courts claims brought against defendant Griffith due to plaintiff’s failure to state cognizable claims. (Doc. No. 24.) The pending findings and recommendations further recommended that plaintiff be permitted to proceed on his substantive due process claim against defendant. (*Id.*) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within twenty-one (21) days from the date of service. (*Id.*) To date, plaintiff has not filed any objections with the court and the time in which to do so has since passed.

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 the 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 April 13, 2022 (Doc. No. 22) are
6 adopted;
- 7 2. Plaintiff's procedural due process, equal protection, and access to courts claims are
8 dismissed;
- 9 3. This case will proceed solely on plaintiff's substantive due process claim; and
- 10 4. This case is referred back to the assigned magistrate judge for further proceedings.

11 IT IS SO ORDERED.

12 Dated: May 24, 2022

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15 UNITED STATES DISTRICT JUDGE
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