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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

LAWRENCE CHRISTOPHER SMITH,  
Plaintiff,  
v.  
RALPH DIAZ, et al.,  
Defendants.

Case No. 1:20-cv-0349 JLT HBK (PC)  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATION  
(Doc. 36)

Lawrence Christopher Smith is a state prisoner proceeding pro se and *in forma pauperis* in this action filed pursuant to 42 U.S.C. § 1983. The magistrate judge reviewed the allegations of Plaintiff’s First Amended Complaint pursuant to 28 U.S.C. § 1915A. (Doc. 36.) The magistrate judge observed Plaintiff identified 21 different defendants in the FAC, “including the California Attorney General Xavier Becerra, the Board of Supervisors for Kings County, the District Attorney for Kings County, Ralph Diaz, former Secretary of the California Department of Corrections and Rehabilitation (CDCR), the Warden, Associate Warden and Chief Medical Officer of California State Prison (CSP), Corcoran, and numerous correctional officials.” (*Id.* at 4.) The magistrate judge noted Plaintiff “raise[d] numerous unrelated claims against unrelated Defendants stemming from events that occurred in 2016, 2017, 2019, and 2020.” (*Id.*) The magistrate judge found the allegations failed to comply with Rule 8 of the Federal Rules of Civil Procedure because “[t]he FAC is rambling and is a collection of run-on sentences interspersed

1 with random facts.” (*Id.* at 6-7.) In addition, the magistrate judge determined Plaintiff failed to  
2 comply with Rule 18(a) and 20(a)(2) of the Federal Rules of Civil Procedure. (*Id.* at 7.) Finally,  
3 the magistrate judge found Plaintiff failed to “state a cognizable claim against any of the named  
4 defendants.” (*Id.* at 15; *see also id.* at 8-15.) Therefore, the magistrate judge recommended the  
5 First Amended Complaint be dismissed. (*Id.* at 15.) The magistrate judge noted Plaintiff had  
6 previously been granted leave to amend, and he “willfully ignored” the Court’s instructions. (*Id.*)  
7 Thus, the magistrate judge recommended dismissal with prejudice. (*Id.*)

8 The Findings and Recommendations were served on Plaintiff on February 27, 2023, and it  
9 contained a notice that any objections must be filed within fourteen days of the date of service.  
10 (Doc. 36 at 16.) In addition, Plaintiff was informed “failure to file objections within the specified  
11 time may result in the waiver of rights on appeal.” (*Id.* at 16, citing *Wilkerson v. Wheeler*, 772  
12 F.3d 834, 838-39 (9th Cir. 2014); *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) To  
13 date, no objections have been filed and the time to do so has expired.

14 In accordance with 28 U.S.C. § 636(b)(1)(C), the Court performed a de novo review of the  
15 case. Having carefully reviewed the entire matter, the Court concludes the Findings and  
16 Recommendations are supported by the record and by proper analysis. Accordingly, the Court

17 **ORDERS:**

- 18 1. The Findings and Recommendations filed on February 27, 2023 (Doc. 36), are  
19 **ADOPTED** in full.
- 20 2. The First Amended Complaint is **DISMISSED** with prejudice.
- 21 3. The Clerk of Court is directed to close this case and enter judgment against  
22 Plaintiff.

23  
24 IT IS SO ORDERED.

25 Dated: March 28, 2023

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UNITED STATES DISTRICT JUDGE