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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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7 GEORGE RUIZ,

8 Plaintiff,

9 v.

10 KEN CLARK, et al.,

11 Defendants.
12

Case No. 1:20-cv-00893-AWI-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(DOC. NO. 11)

13 George Ruiz (“plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in
14 this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United
15 States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

16 On September 23, 2020, Magistrate Judge Erica P. Grosjean entered findings and
17 recommendations, recommending “that all claims and defendants be dismissed, except for
18 Plaintiff’s claims against (1) Defendants Ken Clark, D. Baughman, S. Alfaro, G. Jaime, J.
19 Gallagher and P. Llamas for (a) unconstitutional conditions of confinement in violation of the
20 Eighth Amendment and (b) discriminatory treatment on account of Plaintiff’s race in violation
21 of the Equal Protection Clause of the Fourteenth Amendment with respect to being placed on a
22 lockdown, a modified program, and reducing his privileges, and (2) Defendants Ken Clark, D.
23 Baughman, and J. Gallagher for preferentially treating black inmates classified as STG Bloods
24 and STG Crips as compared to Plaintiff on account of his race in violation of the Equal
25 Protection Clause of the Fourteenth Amendment.” (Doc. No. 11 at p. 2).

26 Plaintiff was provided an opportunity to file objections to the findings and
27 recommendations. The deadline for filing objections has passed, and plaintiff has not filed
28 objections to the findings and recommendations.

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

5 Accordingly, THE COURT HEREBY ORDERS that:

- 6 1. The findings and recommendations issued by the magistrate judge on September
7 23, 2020, are ADOPTED in full;
- 8 2. All claims and defendants are dismissed, except for plaintiff's claims against (1)
9 Defendants Ken Clark, D. Baughman, S. Alfaro, G. Jaime, J. Gallagher and P.
10 Llamas for (a) unconstitutional conditions of confinement in violation of the
11 Eighth Amendment and (b) discriminatory treatment on account of Plaintiff's
12 race in violation of the Equal Protection Clause of the Fourteenth Amendment
13 with respect to being placed on a lockdown, a modified program, and reducing
14 his privileges, and (2) Defendants Ken Clark, D. Baughman, and J. Gallagher
15 for preferentially treating black inmates classified as STG Bloods and STG
16 Crips as compared to Plaintiff on account of his race in violation of the Equal
17 Protection Clause of the Fourteenth Amendment; and
- 18 3. This case is referred back to the assigned magistrate judge for further
19 proceedings.

20
21 IT IS SO ORDERED.

22 Dated: December 3, 2020


23 _____
24 SENIOR DISTRICT JUDGE