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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GEORGETTE G. PURNELL,
Plaintiff,
v.
N. HUNT, *et al.*,
Defendants.

No. 1:20-cv-01759-NONE-EPG (PS)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
THAT THIS ACTION PROCEED ONLY ON
CLAIM AGAINST DEFENDANT HUNT FOR
EXCESSIVE FORCE IN VIOLATION OF
THE FOURTH AMENDMENT
(Doc. No. 10)

Plaintiff Georgette G. Purnell is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on plaintiff’s complaint against defendants N. Hunt, Luper, Garcia-Peralta, and Carter for alleged violation of plaintiff’s rights after an automobile collision. 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 8, 2021, the assigned magistrate judge issued findings and recommendations recommending that this action proceed on plaintiff’s claim against defendant N. Hunt for excessive force in violation of the Fourth Amendment; that plaintiff’s claims against defendants Luper, Garcia-Peralta and Carter for excessive force in violation of the Fourth Amendment be dismissed, without prejudice; and that all other claims in plaintiff’s complaint be dismissed, with prejudice. (Doc. No. 10.) Those findings and recommendations were served on the plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after

1 service. (*Id.* at 4.) No objections have been filed, and the deadline to do so has expired.

2 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
3 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
4 magistrate judge's findings and recommendations are supported by the record and by proper
5 analysis.

6 Accordingly,

- 7 1. The findings and recommendations issued on April 8, 2021, (Doc. No. 10), are adopted in
8 full;
- 9 2. This action shall proceed on Plaintiff's claim against defendant N. Hunt for excessive
10 force in violation of the Fourth Amendment;
- 11 3. Plaintiff's claims against defendants Luper, Garcia-Peralta and Carter for excessive force
12 in violation of the Fourth Amendment are dismissed, without prejudice; and
- 13 4. All other claims in Plaintiff's complaint are dismissed, with prejudice

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15 IT IS SO ORDERED.

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17 Dated: April 26, 2021

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21 UNITED STATES DISTRICT JUDGE

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