

1 and that the court further decline to exercise supplemental jurisdiction over plaintiff's state law
2 claims. (Doc. No. 12.) Those findings and recommendations were served on plaintiff and
3 contained notice that any objections thereto were to be filed within fourteen (14) days after
4 service. (*Id.* at 11.) Following an extension of time, plaintiff timely filed objections on October
5 4, 2021. (Doc. No. 15.) Plaintiff objected to the magistrate judge's finding that the defendant's
6 actions, as pled, did not constitute excessive force or deliberate indifference sufficient to support
7 an Eighth Amendment claim.

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

12 Accordingly,

- 13 1. The findings and recommendations issued on August 5, 2021, (Doc. No. 12), are adopted
14 in full;
- 15 2. Plaintiff's federal claims asserted in this action are dismissed with prejudice due to
16 plaintiff's failure to state a claim upon which relief may be granted;
- 17 3. The exercise of supplemental jurisdiction over plaintiff's state law claims is declined, and
18 plaintiff's state law claims are dismissed without prejudice to their being brought in an
19 action filed in state court; and
- 20 4. The Clerk of the Court is directed to close this case.

21 IT IS SO ORDERED.

22 Dated: December 6, 2021

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25 UNITED STATES DISTRICT JUDGE
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