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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS LORENZO ARMENTERO,

Plaintiff,

No. CIV S-08-2790 KJM GGH P

vs.

S. WILLIS,

Defendant.

ORDER

_____/

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 12, 2011, the magistrate judge filed findings and recommendations, which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations.

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

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed July 12, 2011, are adopted in full,
3 with the exception of the text on pages 6:26 through 7:10; and

4 2. Defendant's November 17, 2010 motion for summary judgment
5 (Docket No. 27) is granted in part and denied in part:

6 a) Granted as to plaintiff's claim of a Fourteenth Amendment due process
7 violation; and

8 b) Denied as to plaintiff's claim of a violation of the Eighth Amendment.

9 3. This action shall proceed only as to plaintiff's claim that he was subjected to a
10 violation of his rights under the Eighth Amendment by defendant Willis when he was deprived
11 of his daily psychiatric medication for ten days.

12 DATED: September 26, 2011.

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15 UNITED STATES DISTRICT JUDGE
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