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

MARCELL JONES,

Plaintiff,

No. 2:10-cv-0396 JAM JFM (PC)

vs.

JOHN DOE, Warden, et al.,

Defendants.

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 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 20, 2012, the magistrate judge filed findings and recommendations herein 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. Both parties have 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 entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 20, 2012 are adopted in full;
2. Defendants' March 9, 2011 motion for summary judgment is denied as to plaintiff's Eighth Amendment claim of excessive force against defendant Barron and granted in all other respects; and
3. This matter is referred back to the magistrate judge for further proceedings.

DATED: March 27, 2012

/s/ John A. Mendez
UNITED STATES DISTRICT COURT JUDGE