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

LACY MITCHELL,

Plaintiff,

No. CIV S-10-1829 KJM DAD P

vs.

WILLIAMS, 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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 8, 2012, 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 twenty-one days. Plaintiff has filed objections to the findings and recommendations.¹

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¹ Plaintiff also indicates in his objections that he seeks a temporary stay of this action. Plaintiff is advised that he must file a formal motion, state the specific grounds for the stay, provide supporting evidence, and explain the length of the stay he seeks.

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

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed February 8, 2012, are adopted in full;
- 7 2. Defendants' June 20, 2011 motion to dismiss state law claims (ECF No. 15) is
8 granted;
- 9 3. The fourth and fifth causes of action of plaintiff's complaint for negligence
10 and infliction of emotional distress are dismissed; and
- 11 4. Within thirty days from the date of this order, defendants shall file their
12 answer.

13 DATED: March 23, 2012.

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16 UNITED STATES DISTRICT JUDGE

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