

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN FISHER,
Plaintiff,
v.
R. CAPPEL, et al.,
Defendants.

No. 2:13-cv-0642 GEB AC P

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.

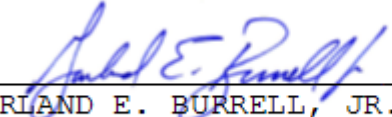
On August 9, 2013, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. No objections to the findings and recommendations have been filed.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 9, 2013 , are adopted in full;
2. For the reasons explained in the order filed on June 20, 2013 (ECF No. 9): (1)

1 defendants Swarthout and Rosario are dismissed from this action; and (2) plaintiff's claims for
2 retaliation are dismissed.

3 Dated: September 11, 2013

4 
5 _____
6 GARLAND E. BURRELL, JR.
7 Senior United States District Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28