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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD GIDDENS,  
Plaintiff,  
v.  
CITY OF SUISUN, et al.,  
Defendants.

No. 2:14-cv-00943-TLN-AC

ORDER

Plaintiff is proceeding in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On February 5, 2018, 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 twenty-one days. (ECF No. 112.) Plaintiff has filed objections to the findings and recommendations. (ECF No. 113.) Defendants the City of Suisun, the Suisun City Council, Mayor Pedro Sanchez, City Council Members Jane Day and Mike Hudson, the Suisun City Police Department, Police Chief Edmond Dadisho, Commander Tim Mattos, Sergeant Andrew White, and Officer Michael Urlaub (the “Public Defendants”) filed a response. (ECF No. 114.)

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

1 Court finds the findings and recommendations to be supported by the record and by proper  
2 analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations filed February 5, 2018 (ECF No. 112), are adopted  
5 in full; and

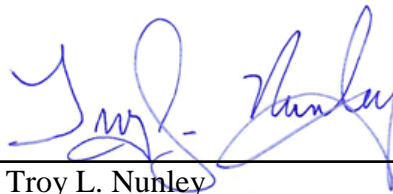
6 2. Public Defendants' motion for summary judgment (ECF No. 107) is GRANTED in  
7 part and DENIED in part as follows:

8 (a) GRANTED as to Claims One (Fourth Amendment Unlawful Arrest), Four  
9 (First Amendment), Seven (*Monell*), Ten (False Arrest/False Imprisonment), and Fifteen (Unruh  
10 Civil Rights Act);

11 (b) DENIED as to Claims Two (Fourth Amendment Excessive Force), Nine  
12 (Assault and Battery), Thirteen (Intentional Infliction of Emotional Distress), and Fourteen  
13 (Negligent Infliction of Emotional Distress) against Defendants Mattos and Urlaub; and

14 3. The following Defendants Dadisho, White, Sanchez, Day, Hudson, the City of Suisun,  
15 the Suisun City Council, and the Suisun City Police Department are terminated from this case.

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17 Dated: March 27, 2018

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21 Troy L. Nunley  
22 United States District Judge  
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