UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

PETER T. HARRELL,

Plaintiff,

v.

HORNBROOK COMMUNITY SERVICES DISTRICT, et al.,

Defendants.

No. 2:14-cv-01595 KJM GGH PS

ORDER

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

On September 10, 2015, 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. ECF No. 50. On September 10, 2015, defendant Winston filed objections to the findings and recommendations. ECF No. 51. On September 11, 2015, the remaining defendants filed objections to the findings and recommendations. ECF No. 52. On September 24, 2015 plaintiff filed objections to the findings and recommendations. ECF No. 54.

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. The court has carefully reviewed the file and

adopts the findings and recommendations, with the exception that plaintiff is not granted leave to add Jason J. Sommers and Robert W. Lucas as defendants in any amended complaint.

Accordingly, IT IS HEREBY ORDERED that:

1. Defendant Winston's motion to dismiss plaintiff's § 1983 claims based on a lack of state action (ECF No. 14) is GRANTED with leave to amend;

2. Defendants Hornbrook Community Services District, Michele Hanson, Patricia Brown, Sharrel Barnes, Julie Bowles, Clint Dingman, and Ernest Goff's motion to dismiss plaintiff's § 1983 claims on the merits (ECF No. 35) is GRANTED with leave to amend;

3. Defendants' motions to dismiss plaintiff's state law claims for failure to comply with the CTCA (ECF Nos. 14, 35) are GRANTED with leave to amend; and

4. Defendants' motions to strike plaintiff's state law claims (anti-SLAPP motions) (ECF Nos. 14, 35) are DENIED without prejudice to renewal if brought as a separate motion after plaintiff amends the complaint.

DATED: March 22, 2016

UNITED STATES DISTRICT JUDGE