1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 WARREN C. GREEN, No. 2:14-cv-02854-TLN-AC 12 Plaintiff. 13 **ORDER** v. 14 CDCR, et al., 15 Defendants. 16 17 Warren C. Green ("Plaintiff"), a state prisoner proceeding pro se, brings this civil rights 18 action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge 19 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On March 12, 2020, the magistrate judge filed findings and recommendations which were 21 served on all parties and which contained notice to all parties that any objections to the findings 22 and recommendations were to be filed within fourteen days. (ECF No. 85.) Plaintiff has filed 23 objections to the findings and recommendations. (ECF No. 86.) 24 This Court reviews de novo those portions of the proposed findings of fact to which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore 25 26 Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). As 27 to any portion of the proposed findings of fact to which no objection has been made, the Court 28 assumes its correctness and decides the motions on the applicable law. See Orand v. United 1

States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having carefully reviewed the entire file under the applicable legal standards, the Court 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 March 12, 2020 (ECF No. 85), are adopted in full; 2. Defendants' Motion for Summary Judgment of Plaintiff's Eighth Amendment claims (ECF No. 70) is GRANTED as to all Defendants; 3. The District Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims; and 4. The Clerk of the Court is directed to close this case. IT IS SO ORDERED. DATED: April 14, 2020 Troy L. Nunley United States District Judge