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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DERRICK OWENS,
Plaintiff,
v.
JACKIE CLARK, et al.,
Defendants.

No. 2:15-cv-0982-TLN-KJN

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 27, 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 fourteen days. Plaintiff filed objections to the findings and recommendations.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 27, 2018, are ADOPTED in full; and

2. Defendants' motion for summary judgment (ECF No. 67) is GRANTED in part, and DENIED in part, as follows:

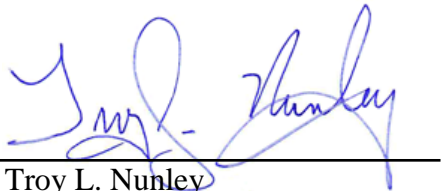
a. Dr. Ko's motion for summary judgment is DENIED on Plaintiff's claim that the prescription of alternative pain medication was delayed once the morphine washed out of his system or Plaintiff informed Dr. Ko of Plaintiff's need for alternative medications;

b. Dr. Ko's motion for summary judgment is GRANTED on all other grounds;

c. Defendants Zink, DiTomas, Clark, and Harris are GRANTED summary judgment; and

d. This action is remanded to the assigned magistrate judge for further scheduling.

Dated: September 27, 2018



Troy L. Nunley
United States District Judge