

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

CHARLES D. VILLACRES,
Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,
Defendants.

No. 2:16-cv-0305 JAM 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 February 8, 2017, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. ECF No. 15. Plaintiff has not filed objections to the findings and recommendations.

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 February 8, 2017 (ECF No. 15), are adopted

1 in full;

2 2. Plaintiff's claim against defendants Schafer, Touche, Voong, Labahn, Garner,
3 Anderson, and Fasnatch related to the denial of compassionate release and parole, and his due
4 process claims for failure to respond to his grievance (Claim One through Three), are dismissed
5 without leave to amend.

6 3. Within thirty days of service of this order, plaintiff may file an amended complaint
7 with respect to Claim Four, as set forth in the February 8, 2017 findings and recommendations.

8 DATED: March 29, 2017

9 /s/ John A. Mendez

10 UNITED STATES DISTRICT COURT JUDGE

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