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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEENAN WILKIN,
Plaintiff,
v.
PAUL GONZALES, et al.,
Defendants.

No. 2: 16-cv-0347 KJM KJN P

FINDINGS AND RECOMMENDATIONS

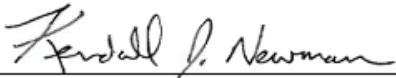
Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. The undersigned has separately issued an order screening the second amended complaint (ECF No. 17.) The undersigned found that plaintiff stated potentially colorable retaliation claims against defendant Swarthout, Chaiken, Jones, Vasquez, Hurtz, Couch, Gonzales and Pulley, and a potentially colorable Eighth Amendment claim against defendant Jones. The undersigned found that the other claims alleged were not potentially colorable.

Accordingly, for the reasons stated in the separately issued order, IT IS HEREBY RECOMMENDED that all claims in the second amended complaint, except for the retaliation claims against defendants Swarthout, Chaiken, Jones, Vasquez, Hurtz, Couch, Gonzales and Pulley, and the Eighth Amendment claim against defendant Jones, be dismissed.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days

1 after being served with these findings and recommendations, plaintiff may file written objections
2 with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
4 failure to file objections within the specified time may waive the right to appeal the District
5 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: August 12, 2016

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9 KENDALL J. NEWMAN
10 UNITED STATES MAGISTRATE JUDGE

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