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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GENE EVANS,
Plaintiff,
v.
ROBERT FOX, et al.,
Defendants.

No. 2:16-cv-1997-JAM-EFB 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 December 23, 2019, 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 fourteen days. 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 December 23, 2019, are adopted in full;

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- 2. Plaintiff’s claims against defendants Fox, Zometa, Ballenger, Tabbs, and Does 1-50 are dismissed without leave to amend;
- 3. Plaintiff’s First Amendment claims against defendants Wong, Lassiter, and Bjorson be dismissed without leave to amend; and
- 4. This matter be referred back to the magistrate judge to effectuate service of plaintiff’s Eighth Amendment claims against defendants Montemayor, Wong, Lassiter, and Bjorson pursuant to the Court’s E-Service pilot program for civil rights cases for the Eastern District of California.

DATED: August 10, 2020

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE