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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOMINIC VA'SHON WRIGHT,
Plaintiff,
v.
JEFF MACOMBER, et al.,
Defendants.

No. 2:16-cv-2054 JAM 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 third amended complaint. (ECF No. 23.)

The undersigned found that the third amended complaint stated potentially colorable Eighth Amendment and retaliation claims against defendants Macomber and Roth. The undersigned also found that the third amended complaint stated a potentially colorable retaliation claim against defendant Masterson based on his alleged filing of allegedly false disciplinary charges against plaintiff.

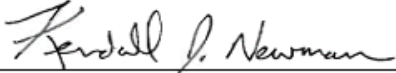
For the reasons stated in that order, the undersigned herein recommends dismissal of the remaining claims and defendants.

Accordingly, IT IS HEREBY RECOMMENDED that all claims in the third amended complaint be dismissed, but for the Eighth Amendment and retaliation claims against defendants

1 Macomber and Roth, and the retaliation claim against defendant Masterson based on his alleged
2 filing of the false disciplinary report.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
5 after being served with these findings and recommendations, plaintiff may file written objections
6 with the court and serve a copy on all parties. Such a document should be captioned
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
8 failure to file objections within the specified time may waive the right to appeal the District
9 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: February 5, 2018

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12 _____
13 KENDALL J. NEWMAN
14 UNITED STATES MAGISTRATE JUDGE

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