UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KIM EDWARD ROGERS,

Plaintiff,

v.

M. RICHARD, CHP Captain Commander, et al.,

Defendants.

No. 2:17-cv-00149-JAM-GGH

ORDER

Plaintiff is proceeding pro se and in forma pauperis in this civil rights matter. On October 10, 2017 the magistrate issued Findings and Recommendations that Respondent's Motion to Dismissed be granted with leave to amend claims pleaded under 42 U.S.C. section 2000e and 28 U.S.C. section 1983 pursuant to the instructions given in the magistrate's Order. ECF No. 43. The parties were granted fourteen (14) days to object. No objections have been filed.

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 reviewed the file, and the magistrate judge's findings and recommendations, the court ADOPTS the findings and recommendations.

Accordingly, IT IS HEREBY ORDERED that:

1. Respondent's Motion to Dismiss is GRANTED with leave to amend claims pleaded under 42 U.S.C. section 2000e and 28 U.S.C. section 1983;

2. Respondent's Motion to dismiss is GRANTED without leave to amend as to all other claims pleaded;

3. The class action allegations of the Complaint are stricken without leave to replead.

IT IS SO ORDERED.

DATED: 12/19/2017

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE