1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 DENNIS DAVIS, No. 2:17-cv-0544 JAM CKD P 12 Plaintiff. 13 **ORDER** v. 14 B. JOHNSON, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On March 13, 2019, the magistrate judge filed findings and recommendations herein 21 which were served on all parties and which contained notice to all parties that any objections to 22 the findings and recommendations were to be filed within fourteen days. Defendants have filed 23 objections to the findings and recommendations. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this 24 25 court has conducted a <u>de novo</u> review of this case. Having carefully reviewed the entire file, the 26 court finds the findings and recommendations to be supported by the record and by proper 27 analysis. ///// 28 1

Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed March 13, 2019, are adopted in full; 2. Defendants' motion for summary judgment (ECF No. 37) is granted as to defendants Johnson, Graves, LaPastora and Ingram acting in their individual capacities and all defendants acting in their official capacities; and 3. Denied as to plaintiff's claim arising under the Eighth Amendment against defendant Gallegos acting in his individual capacity. DATED: June 19, 2019 /s/ John A. Mendez\_ UNITED STATES DISTRICT COURT JUDGE