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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN RANDOLPH WOOD,
Plaintiff,
v.
JACK MCCORMICK, et al.,
Defendants.

No. 2:17-cv-00983 JAM CKD 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 May 7, 2018, 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 presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 7, 2018, are adopted in full.

2. All claims against defendants Arik Amaya, Matthew Pender, Craig Kuly, S. Dudley, S. Vaughn, T. Hasick, B. Speers, D. Marlar, C. Forehand, Robin Creager, and Tom Bosenko are dismissed without prejudice for failure to state a claim upon which relief can be granted.

3. Plaintiff's complaint is proceeding only on an Eighth Amendment excessive force claim against defendants McCormick and Millis.

DATED: July 2, 2018

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE

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