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UNITED STATES DISTRICT COURT	
FOR THE EASTERN DISTRICT OF CALIFORNIA	
JOHN HARDNEY,	No. 2:17-cv-2462 MCE AC P
Plaintiff,	
V.	<u>ORDER</u>
T. GRIFFITH, et al.,	
Defendants.	
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	
On October 24, 2018, the magistrate judge filed findings and recommendations herein	
	d within fourteen days. ECF No. 10. Plaintiff has
not filed objections to the findings and recomm	nendations.
The Court has reviewed the file and fir	nds 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 October 24, 2018, (ECF No. 10) are
ADOPTED in full;	1
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	FOR THE EASTERN I JOHN HARDNEY, Plaintiff, v. T. GRIFFITH, et al., Defendants. Plaintiff, a state prisoner proceeding pl under 42 U.S.C. § 1983. The matter was refer 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On October 24, 2018, the magistrate ju which were served on plaintiff and which cont findings and recommendations were to be file not filed objections to the findings and recomm The Court has reviewed the file and fin supported by the record and by the magistrate ORDERED that: 1. The findings and recommendations

1	2. Plaintiff's due process claims against defendants CSP-SAC Lt. R. Cross, MCSP	
2	Warden J. Lizarrago, and CDCR Secretary S. Kernan, are DISMISSED without leave to amend;	
3	3. Plaintiff's RICO claims and state claim for intentional interference with prospective	
4	economic advantage are DISMISSED without leave to amend; and	
5	4. Defendants Cross, Lizarrago and Kernan are DISMISSED from this action. ¹	
6	5. This action shall proceed on Plaintiff's remaining claims.	
7	IT IS SO ORDERED.	
8	Dated: February 20, 2019	
9 10	MORRISON C. ENGLAND, JR	
11	UNITED STATES DISTRICT JUDGE	
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26	$\frac{1}{1}$ As plaintiff was previously informed, his election to proceed on the original complaint is	
27	construed as plaintiff's agreement to the voluntary dismissal, without prejudice, of defendant Cross from this action. See ECF No. 10 at $15 \ $ f. Defendants Lizarrago and Kernan are	
28	dismissed from this action with prejudice.	