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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JON HUMES,

Plaintiff,

v.

SACRAMENTO COUNTY,

Defendant.

No. 2:18-cv-0957-KJM-EFB P

ORDER

Plaintiff, a former county jail inmate and now a state prisoner, proceeds pro se with this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 28, 2019, the magistrate judge filed findings and recommendations, 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 filed 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 court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 28, 2019, are adopted in full;

2. Plaintiff's complaint (ECF No. 1) is dismissed, and plaintiff is granted leave to amend within 30 days of this order, only as to the excessive force claim;

3. Plaintiff is warned that failure to file an amended complaint that complies with this order may result in the dismissal of this action;

4. The Clerk of Court is directed to send plaintiff a new form for use in filing an amended civil rights complaint; and

5. This case is referred back to the assigned magistrate judge for all further pretrial proceedings.

DATED: August 19, 2019.


UNITED STATES DISTRICT JUDGE