1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 JOHNELL JACKSON, No. 2:18-cv-1132 MCE CKD P 12 Plaintiff, 13 **ORDER** v. 14 JALAL SOLTANIAN ZADEH, 15 Defendants. 16 17 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 18 19 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On October 4, 2018, the magistrate judge filed findings and recommendations herein 21 which were served on plaintiff and which contained notice to plaintiff that any objections to the 22 findings and recommendations were to be filed within fourteen days. Plaintiff has not filed 23 objections to the findings and recommendations. 24 The Court presumes that any findings of fact are correct. See Orand v. United States, 602 25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. 26 See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having 27 reviewed the file, the Court finds the findings and recommendations to be supported by the record 28 and by the magistrate judge's analysis. 1

Accordingly, IT IS HEREBY ORDERED that: 1. The findings and recommendations filed October 4, 2018, (ECF No. 6) are ADOPTED in full; 2. The claim identified as "claim 2" in plaintiff's complaint is DISMISSED; and 3. This action shall proceed on Plaintiff's remaining claims. IT IS SO ORDERED. Dated: January 2, 2019 UNITED STATES DISTRICT JUDGE