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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ALFRED NORMAN JOHNSON, III,  
Plaintiff,  
v.  
SYLVAN, et al.,  
Defendants.

No. 2:18-cv-01929-TLN-EFB

**ORDER**

Plaintiff Alfred Norman Johnson, III (“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 March 20, 2020, 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. (ECF No. 13.) Plaintiff has not filed objections to the findings and recommendations.

Accordingly, 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); see also 28 U.S.C. § 636(b)(1).

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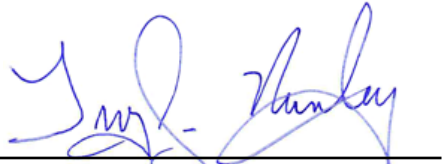
Having reviewed the file under the applicable legal standards, the Court finds the Findings and Recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed March 20, 2020 (ECF No. 13), are adopted in full; and
2. Plaintiff's Eighth Amendment excessive force claim against Defendant Sylvan is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED: 04/27/20



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Troy L. Nunley  
United States District Judge