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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MICHAEL JEROME ISREAL,  
Plaintiff,  
v.  
THOMAS A. FERRARA,  
Defendant.

No. 2:19-CV-1011-WBS-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On July 30, 2020, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the Magistrate Judge’s analysis.


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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 30, 2020, are adopted in full;
2. Defendant's motion to dismiss (ECF No. 17) is granted;
3. Plaintiff's Eighth Amendment excessive force claim against defendant Ferrara is dismissed without leave to amend;
4. Plaintiff's Fourteenth Amendment claim against defendant Ferrara is dismissed with leave to amend; and
5. Plaintiff shall submit a first amended complaint within 30 days of the date of this order.

Dated: September 10, 2020

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**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**