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

WILLIAM ROUSER,
Plaintiff,
v.
JULIA GAMBOA, et al.,
Defendants.

No. 2:19-cv-01233-TLN-DMC

ORDER

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

On October 12, 2021, 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. (ECF No. 29.) Timely objections to the findings and recommendations have been filed. (ECF No. 33.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304(f), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

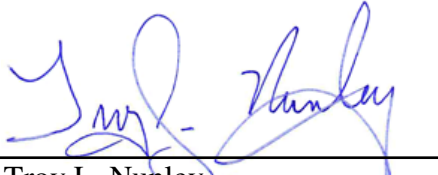
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 12, 2021, (ECF No. 29) are adopted in full;
2. Plaintiff’s Claim III against Defendants Weyer and Valencia relating to the prison grievance process is dismissed for failure to state a claim; and
3. The action shall proceed on Plaintiff’s second amended complaint on the following claims:
 - a. Claims I and IV against Defendants Gamboa, Kennerly, Smith, Marquez, Spangler, Brown, Lelewer, and Montoya for deliberate indifference relating to Plaintiff’s suicidal ideation; and
 - b. Claim II against Defendants Gonzalez, Roth, and Weyer for retaliation.

DATED: January 6, 2022



Troy L. Nunley
United States District Judge