

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

FREDERICK E. LEONARD,
Plaintiff,
v.
L. DEMERY,
Defendant.

No. 2:20-CV-1167-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 September 6, 2022, 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.


///
///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 6, 2022, are adopted in full;
2. Plaintiff's due process claim is dismissed;
3. This action shall proceed on plaintiff's first amended complaint, ECF No. 19, as against defendant Demery on plaintiff's retaliation claim only; and
4. The matter is referred back to the assigned Magistrate Judge for further proceedings consistent with this Order.

Dated: November 22, 2022



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE