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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEENAN WILKINS,
Plaintiff,
v.
S. HESLOP, et al.,
Defendants.

No. 2:20-cv-01622 DJC DB P

FINDINGS AND RECOMMENDATIONS

Plaintiff, a state prisoner, proceeds without counsel and seeks relief under 42 U.S.C. § 1983. This matter was referred to the undersigned by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1). On April 10, 2023, the undersigned screened plaintiff’s Second Amended Complaint (ECF No. 20) and found it stated certain cognizable claims, but that other potential claims were not cognizable. (ECF No. 25 at 14.) Plaintiff has elected to proceed on the claims found to be cognizable and has declined to voluntarily dismiss the other claims. (See ECF No. 26.)

For the foregoing reasons, and for the reasons stated in the order filed on April 10, 2023 (ECF No. 25), IT IS HEREBY RECOMMENDED as follows:

1. The court order that this case proceed only on the following claims: (1) against defendant S. Heslop for excessive force in violation of plaintiff’s Eighth Amendment rights, retaliation in violation of his First Amendment rights, assault, battery, and violation of the Bane

1 Act; and (2) against B. Velasquez and A. Sawma for equal protection under the Fourteenth
2 Amendment.

3 2. All claims other than those identified above be dismissed with prejudice.

4 These findings and recommendations are submitted to the United States District Judge
5 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty (30) days
6 after being served with these findings and recommendations, plaintiff may file written objections
7 with the court and serve a copy on all parties. Such a document should be captioned
8 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
9 failure to file objections within the specified time may waive the right to appeal the District
10 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 Dated: June 2, 2023

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DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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