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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	BRANDON EUGENE HUNTER,	No. 2:22-cv-01282-DAD-EFB (PC)
12	Plaintiff,	
13	V.	ORDER ADOPTING FINDINGS AND
14	SACRAMENTO COUNTY, et al.,	RECOMMENDATIONS AND DISMISSING CERTAIN CLAIMS AND A DEFENDANT
15	Defendants.	(Doc. No. 15)
16		
17	Plaintiff Brandon Eugene Hunter is a county jail inmate proceeding pro se and in forma	
18	pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred	
19	to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On January 6, 2023, the assigned magistrate judge screened plaintiff's first amended	
21	complaint filed in this action and found that plaintiff had stated potentially cognizable	
22	constitutional claims related to allegations of the deprivation of out-of-cell time against	
23	defendants Rolland, Calp, Bliss, Haw, Galvez, Ayers, Traxler, Minor, Sacramento County, Biagi,	
24	and Ahlers, but that plaintiff had failed to state any other cognizable claims. (Doc. No. 11.)	
25	Plaintiff was granted leave to file an amended complaint or notify the court of his willingness to	
26	proceed only on the claims found to be cognizable in the screening order within thirty (30) days	
27	after service of the screening order. (Id. at 5.) On February 21, 2023, plaintiff notified the court	
28	that he was willing to proceed only on the claims identified by the magistrate judge in the	

screening order as cognizable. (Doc. No. 14.)

Consequently, on February 28, 2023, the assigned magistrate judge issued findings and recommendations recommending that this action proceed on plaintiff's claims found to be cognizable in the screening order and that all other claims brought by plaintiff in his complaint be dismissed, including all claims brought against defendant Kibak. (Doc. No. 15.) The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 2.) To date, no objections have been filed, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the findings and recommendations are supported by the record and proper analysis.

Accordingly,

- 1. The findings and recommendations issued on February 28, 2023 (Doc. No. 15) are adopted in full;
- This action shall proceed on plaintiff's claims of deprivation of out-of-cell time brought against defendants Rolland, Calp, Bliss, Haw, Galvez, Ayers, Traxler, Minor, Sacramento County, Biagi, and Ahlers;
- 3. All other claims brought by plaintiff in this action are dismissed;
- 4. Defendant Kibak is terminated as a named defendant in this action; and
- 5. This action is referred back to the assigned magistrate judge for further proceedings consistent with this order.

IT IS SO ORDERED.

Dated: May 16, 2023

UNITED STATES DISTRICT J

24 UNITED STATES DISTRIC¶ JUDGE