

1 proposed transfer imposed an atypical or significant hardship on him in relation to the ordinary
2 incidents of prison life. (*Id.* at 4.) As to plaintiff's Eighth Amendment claim the magistrate judge
3 concluded that the verbal harassment alleged by plaintiff, even if true, failed to state a cognizable
4 claim. (*Id.* at 5.) Finally, as to both claims the magistrate judge determined the granting of
5 further leave to amend those claims would be futile. (*Id.* at 4–5.)

6 The pending findings and recommendations were served on the parties and contained
7 notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at
8 8.) To date, no objections to the findings and recommendations have been filed, and the time in
9 which to do so has long since passed.

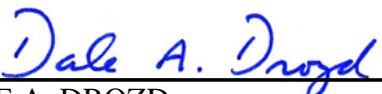
10 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
11 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
12 findings and recommendations are supported by the record and by proper analysis.

13 Accordingly:

- 14 1. The findings and recommendations filed August 30, 2024 (Doc. No. 11), are
15 ADOPTED in full;
- 16 2. The Eighth Amendment and Due Process claims asserted in plaintiff's first amended
17 complaint (Doc. No. 10) are DISMISSED for failure to state a cognizable claim
18 without further leave to amend; and
- 19 3. This matter is referred back to the magistrate judge for further proceedings consistent
20 with this order.

21 IT IS SO ORDERED.

22 Dated: March 5, 2025

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25 DALE A. DROZD
26 UNITED STATES DISTRICT JUDGE
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