UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DeWAYNE THOMPSON, Plaintiff, v. P. KUPPINGER, et al., Defendants.	No. 2:23-cv-463-DJC-EFB (PC) ORDER

Plaintiff proceeds without counsel in this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 12, 2026, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, 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 February 12, 2026 are adopted in full.
2. Plaintiff's motion for summary judgment (ECF No. 29) is DENIED.
3. Defendants' motion for summary judgment (ECF No. 36) is DENIED as to Claim 4 regarding excessive force by defendants Pohovich and Lujan and is GRANTED as to all other claims and defendants.
4. The matter is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Dated: **March 20, 2026**

Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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