

subject to the objections and is of the opinion that the Recommendation is correct, and that the objections are without merit as to the ultimate findings of the Magistrate Judge. Accordingly, the objections are **OVERRULED**, the Recommendation (Dkt. No. 36) is **ACCEPTED** and, for the reasons set forth therein, the Motion for Summary Judgment (Dkt. No. 31) is **GRANTED IN PART** and **DENIED IN PART**.

IT IS THEREFORE ORDERED that Plaintiff's malicious prosecution and false arrest claims are **DISMISSED WITH PREJUDICE**. Only Plaintiff's excessive force claim against Saenz and Gonzalez will proceed to trial.

IT IS SO ORDERED.

SIGNED this 21 day of November, 2024.



ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE