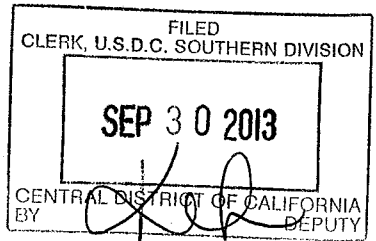


JS-6 Entered
0



I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL (OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF RECORD IN THIS ACTION ON THIS DATE.

DATED: 10-1-13
[Signature]
DEPUTY CLERK

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN LUGO,

Plaintiff,

vs.

P. COVELLO, et al.,

Defendants.

Case No. CV 13-1329-ABC (RNB)

ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS
OF UNITED STATES
MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings, the records on file herein, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report and Recommendation to which objections have been made. The Court accepts the findings and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that (1) plaintiff's due process claim(s) are dismissed without leave to amend; (2) plaintiff's equal protection claim is dismissed without leave to amend; (3) plaintiff's Eighth Amendment claim, to the extent that such claim is directed to the conditions of confinement to which plaintiff was subjected while temporarily confined in the SHU at ISP, is dismissed without leave to amend; (4) plaintiff's Eighth Amendment claim directed to the conditions of

1 confinement to which he allegedly is being subjected while confined in the SHU at
2 CCI is dismissed with leave to amend; and (5) this action is transferred to the Eastern
3 District of California for purposes of enabling plaintiff to pursue his Eighth
4 Amendment claim directed to the conditions of confinement to which he allegedly is
5 being subjected while confined in the SHU at CCI.

6
7 DATED: Sept 26, 2017

Audrey B Collins
8 AUDREY B. COLLINS
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28