

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ROBERT R. SNYDER,
Plaintiff,
v.
CA DEPT. OF CORRECTIONS
AND REHABILITATION, et al.,
Defendants.

Case No. CV 18-01223 PSG (RAO)

ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Third Amended Complaint, Dkt. No. 81; the Motion to Dismiss filed by Defendants Gastelo, Asuncion, Scheiffele, Phillips, Ward, Floercky, and Esquerra (collectively, “Defendants”), Dkt. No. 82; Plaintiff’s Opposition to the Motion to Dismiss, Dkt. No. 86; Defendants’ Reply, Dkt. No. 87; the Report and Recommendation of United States Magistrate Judge (“Report”), Dkt. No. 89; Plaintiff’s Objections to the Report, Dkt. No. 90; Defendants’ Reply to Plaintiff’s Objections, Dkt. No. 92; and all of the other records and files herein. Further, the Court has made a *de novo* determination of those portions of the Report to which Plaintiff has objected. The Court is not persuaded by Plaintiff’s Objections and hereby accepts and adopts the Magistrate Judge’s findings, conclusions, and recommendations.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS ORDERED that:

- (1) Defendants’ Motion to Dismiss is GRANTED;
- (2) Plaintiff’s Third Amended Complaint is dismissed with prejudice as to Defendants Gastelo, Asuncion, Scheiffele, Phillips, Ward, Floercky, and Esquerra; and
- (3) Plaintiff’s Third Amended Complaint is dismissed without prejudice as to Acuna/John Doe.

DATED: 1/5/21



PHILIP S. GUTIERREZ
UNITED STATES DISTRICT JUDGE