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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JASON PAUL LEGARE,

Plaintiff,

v.

J. MICHAEL LEE, et al.,

Defendants.

Case No. ED CV 15-00833 JVS (AFM)

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

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

IT THEREFORE IS ORDERED that

- (1) the Report and Recommendation of the Magistrate Judge is accepted and adopted;
- (2) defendants' Motion for Summary Judgment is granted, in part, on plaintiff's Eighth Amendment claims for defendants' refusal to change the surgical dressing;

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- (3) defendant's Motion for Summary Judgment is denied, in part, on plaintiff's Eighth Amendment claims arising from the delay in having the Penrose drain removed; and
- (4) defendant Yolanda Soto is dismissed from this action.

DATED: May 08, 2017



JAMES V. SELNA
UNITED STATES DISTRICT JUDGE