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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RONALD VICTOR SEVILLA,

Plaintiff,

v.

DERRAL ADAMS, et al.,

Defendants.

CASE NO. 1:06-cv-000172-LJO-SMS PC

ORDER (1) ADOPTING FINDINGS AND
RECOMMENDATIONS, (1) DISMISSING
CERTAIN CLAIMS AND DEFENDANTS
FROM FIFTH AMENDED COMPLAINT, (3)
AND DENYING MOTION FOR
PRELIMINARY INJUNCTIVE RELIEF

(Docs. 56, 69, and 71)

Plaintiff Ronald Victor Sevilla, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on February 16, 2006. 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 September 7, 2010, the Magistrate Judge screened Plaintiff's [fifth amended complaint](#) and issued [findings and recommendations](#) for dismissal of certain claims and defendants. Also issued was a separate [finding and recommendation](#) for denial of Plaintiff's [motion](#) seeking preliminary injunctive relief. Objections, if any, were due within thirty days. None were filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the 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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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations, filed September 7, 2010, are adopted in full;
- 3 2. This action shall proceed on Plaintiff's fifth amended complaint, filed May 18, 2009,
4 against Defendants Bradish, Roscoe, Gonzales, and Bhatt on Plaintiff's Eighth
5 Amendment medical care claims;
- 6 3. Plaintiff's Eighth Amendment medical care claim against Defendant Nguyen; claims
7 against Defendants Castillo, Adams, Steinberg, and Alameida; section 845.6 claim;
8 and equal protection claim are dismissed for failure to state a claim;
- 9 4. Plaintiff's claims against Defendant McKesson are dismissed pursuant to Rule 18;
- 10 5. Defendants Castillo, Adams, Steinberg, Alameida, and McKesson are dismissed from
11 this action; and
- 12 6. Plaintiff's motion for a preliminary injunction, filed August 2, 2010, is denied.

13
14 IT IS SO ORDERED.

15 Dated: December 2, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE