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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANCISCO GIL,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

CASE NO. 1:09-CV-00552-AWI-DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATION AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

(DOC. [36](#))

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Plaintiff Francisco Gil (“plaintiff”) is a former California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff’s second amended complaint, filed March 18, 2010. Doc. [31](#). 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 October 12, 2010, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on plaintiff and which contained notice to plaintiff that any objection to the Findings and Recommendations was to be filed within thirty days. Plaintiff did not file a timely Objection to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1), this 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.

Accordingly, IT IS HEREBY ORDERED that:

1. The [Findings and Recommendations](#), filed October 12, 2010, is adopted in full;
2. This action proceed on Plaintiff’s second amended complaint, filed March 18, 2010,

1 against Defendant Amadi for deliberate indifference to a serious medical need in
2 violation of the Eighth Amendment and for the state law claim of negligence;

3 3. All of Plaintiff's other claims against all other Defendants are dismissed without
4 prejudice for violation of Federal Rule of Civil Procedure 20(a);

5 4. Defendants F. Igbinosa, Salazar, Kim, Ortiz, Neubarth, Kushner, Seifert, Diep,
6 Birring, Alvarez, Henderson, Herrera, Manasred, Griffith, Medina, Ryan, Davis,
7 Coleman, Malloy, Johnson, Stringer, Tucker, James A. Yates, and Vilaysane are
8 dismissed from this action; and

9 5. Plaintiff's request for injunctive relief is denied as moot.

10 IT IS SO ORDERED.

11 Dated: January 7, 2011

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14 CHIEF UNITED STATES DISTRICT JUDGE