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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LAWRENCE CHRISTOPHER SMITH,	Case No. 1:10-cv-01814-LJO-JLT (PC)
Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS
v.	(Doc. 42)
ALLISON, et al.,	
Defendants.	

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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 November 18, 2013, the Magistrate Judge filed a Findings and Recommendations which was served on the parties and which contained notice to the parties that Objections to the Findings and Recommendations were to be filed within ten days. Plaintiff filed objections on December 23, 2013. Local Rule 304(b), (d).

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.

Accordingly, IT IS HEREBY ORDERED that:

1. the Findings and Recommendations, filed on November 18, 2013 (Doc. 42), are adopted in full; and
2. this action is to proceed on Plaintiff's First Amendment claim of retaliation against

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Defendants Lt. Goss, Lt. Gallagher, and Officer Langler; Plaintiff's Eighth Amendment claim for deliberate indifference to his serious medical condition against PA Byers and Lt. Gallagher; and Plaintiff's due process claim against Lt. Goss; and

3. the remaining claims and Defendants Sgt. Anderson and Doe are dismissed with prejudice.

IT IS SO ORDERED.

Dated: January 7, 2014

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