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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

NICHOLAS MORAN,

1:11-cv-914-LJO-MJS (PC)

Plaintiff,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CERTAIN CLAIMS AND DEFENDANTS

v.

K. DUTRA, et al.,

(ECF No. 12)

Defendants.

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Plaintiff Nicholas Moran (“Plaintiff”) is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. 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 21, 2012, the Magistrate Judge filed a Findings and Recommendations, recommending dismissal of certain of Plaintiff’s claims and Defendants. (ECF No. 12.) Plaintiff has failed to file objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 305, 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.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendations, filed September 21, 2012, are adopted in full;
- 3 2. Plaintiff be allowed to proceed on his Eighth Amendment inadequate medical care
- 4 claim against Defendants Ryan and Dedee;
- 5 3. Plaintiff be allowed to proceed on his Eighth Amendment excessive force claim
- 6 against Defendants Dutra and Auten;
- 7 4. Plaintiff’s claims against Defendants John Does # 1-20 be dismissed; and
- 8 5. Defendants John Does #1-20 be dismissed from this action.

9 IT IS SO ORDERED.

10 **Dated: October 10, 2012**

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