

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendations, filed March 25, 2013, are ADOPTED in
3 full;
- 4 2. This action shall proceed on the following claims: (1) an Eighth Amendment
5 conditions of confinement against Defendants Holland, Reed, Stankorb, Miner,
6 Bryant, Haak, Matzen and Frazier based on their classification and housing of
7 Plaintiff as a member of the BGF; and (2) an Eighth Amendment conditions of
8 confinement against Defendants Stankorb and Frazier based on their disclosure
9 that Plaintiff was a child molester to other inmates; and
- 10 3. Plaintiff states no further cognizable claims and therefore Defendants Sampson,
11 Stainer and Tate are DISMISSED from this action.¹
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15 IT IS SO ORDERED.

16 Dated: May 29, 2013

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

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¹ Plaintiff's First Amended Complaint did not name Defendant A. Joaquin, though this Defendant continues to
28 appear on the docket based on Plaintiff's original complaint. Defendant A. Joaquin is no longer a Defendant in this
action.