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

IRA GREEN

Plaintiff,

v.

JOHN CHAKOTOS,,

Defendant.

Case No. 1:11-cv-01611-LJO-DLB PC

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS RECOMMENDING  
DEFENDANTS' MOTION TO DISMISS BE  
GRANTED IN PART AND DENIED IN  
PART

(ECF Nos. 32 & 41)

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Plaintiff Ira Green, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on September 22, 2011. This action is proceeding on Plaintiff's Second Amended Complaint, filed on May 3, 2013, for claims against Defendant John Chakotos for 1) deliberate indifference in violation of the Eighth Amendment; and 2) state law negligence. (ECF Nos. 25 & 28.)

Pending before the Court is Defendant's Motion to Dismiss. On July 18, 2014, the Court issued a findings and recommendations recommending granting Defendant's motion in part and denying in part. (ECF No. 41.) Defendant filed objections on July 25, 2014 and Plaintiff filed objections on August 1, 2014. (ECF Nos. 42 & 43.)

Pursuant to 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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Accordingly, it is HEREBY ORDERED that the Court adopts the findings and recommendations, filed on July 18, 2014, in full.

IT IS SO ORDERED.

Dated: August 11, 2014

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