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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	CHARLES A. MILLER,	No. 1:12-cv-00353-DAD-EPG
12	Plaintiff,	
13	v.	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS REGARDING
14	M. ADONIS et al.,	PLAINTIFF'S THIRD AMENDED COMPLAINT
15	Defendants.	(Doc. Nos. 67)
16		(Doc. Nos. 07)
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19	Plaintiff Charles A. Miller is a state prisoner proceeding pro se in this civil rights action	
20	pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge	
21	pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
22	On January 9, 2017, the assigned magistrate judge entered findings and recommendations,	
23	recommending that this action proceed: (1) against defendants Medina, Chudy, and Frederichs for	
24	deliberate indifference to serious medical needs in violation of the Eighth Amendment; (2)	
25	against defendant Medina under the Bane Act; and (3) against defendants Eddings and Walker for	
26	retaliation in violation of the First Amendment, as well as for violation of the Bane Act. (Doc.	
27	No. 67.) The assigned magistrate judge further recommended that all other claims and defendants	
28	be dismissed from this action. (Id.) The findings and recommendations were served on the	

1 parties and contained notice that objections thereto were to be filed within thirty days. (Id.) On 2 February 10, 2017, plaintiff timely filed objections. (Doc. No. 68.) 3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a de novo review of the matter. Having carefully reviewed the entire file, including plaintiff's 4 5 objections, the court finds that the findings and recommendations are supported by the record and 6 proper analysis. 7 Accordingly, 1. The January 9, 2017 findings and recommendations (Doc. No. 67) are adopted in full; 8 9 2. This action shall proceed on the following claims: 10 a. A claim of deliberate indifference under the Eighth Amendment, against 11 defendants Medina, Chudy, and Frederichs; 12 b. A claim under the Bane Act against defendant Medina; and 13 c. Claims for retaliation under the First Amendment and the Bane Act, against 14 defendants Eddings and Walker; 3. All remaining claims and defendants are dismissed from this action. Specifically, all 15 16 of plaintiff's other federal claims alleged in his third amended complaint are dismissed 17 with prejudice, and all other state claims are dismissed without prejudice but without 18 further leave to amend. 19 IT IS SO ORDERED. 20 Dated: May 15, 2017 21 22 23 24 25 26

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