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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ALBERT LEE HOOD,

Plaintiff,

vs.

MARGARET MIMS, et al.,

Defendants.

1:13-cv-00108-LJO-GSA-PC

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(Doc. 13.)

ORDER FOR THIS ACTION TO  
PROCEED ONLY AGAINST  
DEFENDANTS CHUNA, TAYLOR,  
WIBBLES, AND ZAVALA, ON  
PLAINTIFF'S EIGHTH AMENDMENT  
MEDICAL CLAIMS

ORDER DISMISSING ALL OTHER  
CLAIMS AND DEFENDANTS

Albert Lee Hood ("Plaintiff") is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983 against defendant officials employed by the Fresno County Sheriff's Department at the Fresno County Jail. This case now proceeds on Plaintiff's original Complaint filed on January 24, 2013. (Doc. 1.) 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 July 3, 2014, the Court entered findings and recommendations, recommending that this action proceed only against defendants Chuna, Taylor, Wibbles, and Zavala, on Plaintiff's Eighth Amendment medical claims, and that all other claims and defendants be dismissed from this action based on Plaintiff's failure to state a claim. (Doc. 13.) Plaintiff was provided an

1 opportunity to file objections to the findings and recommendations within thirty days. To date,  
2 Plaintiff has not filed objections or otherwise responded to the Findings and Recommendations.

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this  
4 Court has conducted a de novo review of this case. Having carefully reviewed the entire file,  
5 the Court finds the findings and recommendations to be supported by the record and proper  
6 analysis.

7 **III. CONCLUSION**

8 Accordingly, THE COURT HEREBY ORDERS that:

- 9 1. The Findings and Recommendations issued by the Magistrate Judge on July 3,  
10 2014, are ADOPTED in full;
- 11 2. This action now proceeds with Plaintiff's original Complaint, filed on January  
12 24, 2013, against defendants Correctional Officer Chuna, Sergeant Taylor,  
13 Corporal Wibbles, and Correctional Officer Zavala, on Plaintiff's medical  
14 claims;
- 15 3. All remaining claims and defendants are DISMISSED from this action;
- 16 4. Defendant Sheriff Margaret Mims is DISMISSED from this action based on  
17 Plaintiff's failure to state any claims upon which relief may be granted against  
18 her under § 1983;
- 19 5. The Clerk is DIRECTED to reflect the dismissal of defendant Mims on the  
20 Court's docket; and
- 21 6. This case is referred back to the Magistrate Judge for further proceedings,  
22 including initiation of service of process.

23 IT IS SO ORDERED.  
24

25 Dated: August 7, 2014

/s/ Lawrence J. O'Neill  
26 UNITED STATES DISTRICT JUDGE  
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28