

1 Amendment. (ECF No. 31.)

2 Accordingly, it is HEREBY RECOMMENDED that:

3 1. This action proceeds on Plaintiff's complaint, filed November 13, 2012, against
4 Defendants Biol and Siegrist for deliberate indifference to a serious medical need, in violation of
5 the Eighth Amendment.

6 2. All remaining claims and defendants be dismissed, with prejudice, for failure to
7 state a claim.

8 These findings and recommendations are submitted to the district judge assigned to this
9 action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 304. Within fourteen
10 (14) days of service of this recommendation, Plaintiff may file written objections to these findings
11 and recommendations with the Court. Such a document should be captioned "Objections to
12 Magistrate Judge's Findings and Recommendations." The district judge will review the
13 magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). Plaintiff
14 is advised that failure to file objections within the specified time may waive the right to appeal the
15 district judge's order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

16
17 IT IS SO ORDERED.

18 Dated: August 25, 2014

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

19
20
21
22
23
24
25
26
27
28