

1 exercise of religion, Fourteenth Amendment equal protection, and RLUIPA claims
2 against Defendant Smith should now be dismissed.

3 The Court hereby RECOMMENDS the following:

- 4 1. Plaintiff may proceed on his First Amendment free exercise of religion,
5 Fourteenth Amendment equal protection, and RLUIPA claims against
6 Defendant Smith; and
7 2. All other claims and Defendants be DISMISSED from this action;

8 These Findings and Recommendations are submitted to the United States District
9 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within
10 **fourteen** (14) days after being served with these Findings and Recommendations, any
11 party may file written objections with the Court and serve a copy on all parties. Such a
12 document should be captioned "Objections to Magistrate Judge's Findings and
13 Recommendations." Any reply to the objections shall be served and filed within
14 **fourteen** (14) days after service of the objections. The parties are advised that failure to
15 file objections within the specified time may result in the waiver of rights on appeal.
16 *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014) (*citing Baxter v. Sullivan*, 923
17 F.2d 1391, 1394 (9th Cir. 1991)).

18
19 IT IS SO ORDERED.

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21 Dated: April 16, 2015

/s/ Michael J. Seng
22 UNITED STATES MAGISTRATE JUDGE