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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PETER CASEY CRUZ,
Plaintiff,
vs.
PAMELA AHLIN, et al.,
Defendants.

1:13-cv-00988-LJO-EPG-PC
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 16.)
ORDER FOR THIS ACTION TO
PROCEED ONLY AGAINST
DEFENDANT HAMRICK ON
PLAINTIFF'S FOURTEENTH
AMENDMENT MEDICAL CLAIM
ORDER DISMISSING ALL OTHER
CLAIMS AND DEFENDANTS

Peter Casey Cruz (“Plaintiff”) is a civil detainee proceeding *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983. This case now proceeds on Plaintiff’s First Amended Complaint filed on January 17, 2015. (ECF No. 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 April 1, 2016, the Court entered Findings and Recommendations, recommending that this action proceed only against defendant Jonathan Hamrick, M.D., on Plaintiff’s medical claim, and that all other claims and defendants be dismissed from this action based on Plaintiff’s failure to state a claim. (ECF No. 16.) Plaintiff was provided an opportunity to file objections to the Findings and Recommendations within twenty days. To date, Plaintiff has not filed objections or otherwise responded to the Findings and Recommendations.

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

5 Accordingly, THE COURT HEREBY ORDERS that:

- 6 1. The Findings and Recommendations issued by the Magistrate Judge on April 1,
7 2016, are ADOPTED in full;
- 8 2. This action now proceeds with Plaintiff's First Amended Complaint, filed on
9 January 7, 2015, against defendant Jonathan Hamrick, M.D., on Plaintiff's
10 medical claim under the Fourteenth Amendment;
- 11 3. All remaining claims and defendants are DISMISSED from this action;
- 12 4. Defendants Pamela Ahlin, former director at Coalinga State Hospital (CSH);
13 Audrey King, current Acting Executive Director of CSH; Don Duncan, Unit
14 Supervisor at CSH; John Doe 1, medical director at CSH; Jane Doe 1, registered
15 nurse at CSH; and Does 2 to 10, various employees at CSH are DISMISSED
16 from this action based on Plaintiff's failure to state any claims upon which relief
17 may be granted against them;
- 18 5. Plaintiff's claims under the Unruh Civil Rights Act and the Americans with
19 Disabilities Act are DISMISSED from this action based on Plaintiff's failure to
20 state a claim;
- 21 6. The Clerk is DIRECTED to reflect the dismissal of all defendants except
22 defendant Jonathan Hamrick, M.D. on the Court's docket; and
- 23 7. This case is referred back to the Magistrate Judge for further proceedings.

24 IT IS SO ORDERED.

25 Dated: May 7, 2016

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