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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIEL G. VALENCIA,

Plaintiff,

v.

WINFRED KOKOR, et al.,

Defendants.

Case No. 1:13-cv-01391-LJO-DLB PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
DISMISSAL OF CERTAIN CLAIMS**

(Document 59)

Plaintiff Daniel G. Valencia (“Plaintiff”) is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on August 30, 2013.

Plaintiff filed a Second Amended Complaint on September 25, 2015. 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 October 28, 2015, the Magistrate Judge issued [Findings and Recommendations](#) that the action go forward on Eighth Amendment claims against Defendants Kokor and Sundaram, and that all other claims be dismissed. The Findings and Recommendations were served on the parties and contained notice that any objections must be filed within twenty-one days. No objections have been filed.

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

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations, filed October 28, 2015, are adopted in full;
- 6 2. This action SHALL proceed on the Eighth Amendment claims against Defendants
7 Kokor and Sundaram;
- 8 3. All other claims are DISMISSED; and
- 9 4. Within fourteen days of the date of service of this order, counsel for Defendant Kokor
10 SHALL inform the Court whether she will accept service for Defendant Sundaram.

11 IT IS SO ORDERED.

12 Dated: December 11, 2015

13 /s/ Lawrence J. O'Neill
14 UNITED STATES DISTRICT JUDGE