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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JASON S. HARPER,  
Plaintiff,  
v.  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION,  
et al.,  
Defendants.

Case No. 1:14-cv-00115-AWI-MJS (PC)  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, DISMISSING  
CERTAIN CLAIMS AND DEFENDANTS  
ECF NO. 11

Plaintiff Jason S. Harper, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 27, 2014. 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 June 2, 2014, the Magistrate Judge issued a findings and recommendations recommending certain claims and Defendants be dismissed from this action. (ECF No. 11.) The fourteen day deadline to file an objection has passed without a response from Plaintiff.

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

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendations, filed June 2, 2014, are adopted in full;
- 3 2. Plaintiff shall proceed on his Eighth Amendment claim against Defendants
- 4 Huffman and Curry and First Amendment claim against Defendant Rivero;
- 5 3. Plaintiff's remaining claims are dismissed; and
- 6 4. Defendants California Department of Corrections and Rehabilitation, A.B.
- 7 Boucher, M. Jones, G.W. Ward, and Lozano are dismissed from the action.

8  
9 IT IS SO ORDERED.

10 Dated: July 2, 2014

  
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11 SENIOR DISTRICT JUDGE