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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EFRAIN SALAZAR,
Plaintiff,
v.
WINFRED KOKOR,
Defendant.

Case No. 1:14-cv-00211-AWI-MJS (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

(ECF No. 41)

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

(ECF No. 32)

CASE TO REMAIN OPEN

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. The action proceeds against Defendant Dr. Winfred Kokor on Plaintiff's Eighth Amendment medical indifference claim. (ECF No. 19.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern District of California.

On July 13, 2017, the Magistrate Judge issued findings and recommendations to grant in part and deny in part Defendant's motion for summary judgment. (ECF No. 41.) Defendant filed objections. (ECF No. 42.) Plaintiff filed no response.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has
2 conducted a *de novo* review of this case. Defendant's objections advance the same
3 arguments raised in his motion for summary judgment. These matters were addressed
4 by the Magistrate Judge, who found that questions of fact remain as to whether
5 Defendant Kokor was deliberately indifferent to Plaintiff's serious medical needs by
6 failing to provide adequate pain medication. The Magistrate Judge also found that
7 Defendant is entitled to summary judgment as to the part of Plaintiff's Eighth
8 Amendment medical indifference claim that is based on Defendant's denial of morphine.
9 The objections do not undermine this Court's agreement with the findings and
10 recommendations. Having carefully reviewed the entire file, the Court finds the findings
11 and recommendations to be supported by the record and by proper analysis.

12 Accordingly, it is HEREBY ORDERED that:

- 13 1. The Court adopts the July 13, 2017 findings and recommendations (ECF
14 No. 41) in full;
- 15 2. Defendant's motion for summary judgment (ECF No. 32) is GRANTED IN
16 PART AND DENIED IN PART; and
- 17 3. Plaintiff's claim relating to the denial of morphine is summarily adjudicated
18 in Defendant's favor.

19 IT IS SO ORDERED.

20 Dated: September 18, 2017

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22 SENIOR DISTRICT JUDGE
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