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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FELIPE GARCIA,
Plaintiff,
v.
C/O EMERSON, et al.,
Defendants.

Case No. 1:14-cv-00625-LJO-SAB-PC
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 31)
ORDER DISMISSING CLAIMS AND
DEFENDANTS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(1)(B) and Local Rule 302.

On May 6, 2016, [findings and recommendations](#) were entered, recommending that Defendants Beard, Brown, Holland, and Rodriguez be dismissed, and Plaintiff's verbal threats, management cell, medical care, retaliation, CDCR policy, and conspiracy claims be dismissed. Plaintiff was provided an opportunity to file objections within thirty days. On May 31, 2016, Plaintiff filed [objections](#) to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 305, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the record to be supported by the record and proper analysis.

Accordingly, THE COURT HEREBY ORDERS that:

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1. The findings and recommendations issued by the Magistrate Judge on May 6, 2016, are adopted in full;

2. Defendants Beard, Brown, Holland, and Rodriguez are dismissed, and Plaintiff's verbal threats, management cell, medical care, retaliation, CDCR policy, and conspiracy claims are dismissed, based on Plaintiff's failure to state a claim upon which relief may be granted under section 1983;

3. This action is referred to the Magistrate Judge for service of the December 23, 2015, first amended complaint on Defendants Emerson, Wildey, Gaona, and Hobmeier.
IT IS SO ORDERED.

Dated: June 3, 2016

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