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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed on September 19, 2014 is adopted in full;
2. This action shall proceed on Plaintiff's claim of excessive force against Defendants J. Mendez, D. Aguinaga, T. Ramos, and D. Cardenas; and Plaintiff's due process claim against C. Nevarez be dismissed for failure to state a cognizable claim for relief; and
3. The matter is referred back to the Magistrate Judge for initiation of service of process.

IT IS SO ORDERED.

Dated: October 27, 2014

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