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

| | | |
|-----------------|---|--------------------------------------|
| PERRY C. BLAIR, |) | Case No.: 1:14-cv-01156-LJO-SAB (PC) |
| |) | |
| Plaintiff, |) | |
| |) | ORDER ADOPTING FINDINGS AND |
| v. |) | RECOMMENDATIONS, GRANTING IN PART |
| |) | AND DENYING IN PART DEFENDANTS' |
| CDCR, et al., |) | MOTION TO DISMISS |
| |) | |
| Defendants. |) | [ECF Nos. 31, 32, 38, 52] |
| |) | |

Plaintiff Perry C. Blair is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

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 July 15, 2016, the Magistrate Judge filed a Findings and Recommendations which was served on the parties and contained notice that objections were to be filed within thirty days. Plaintiff filed objections on August 12, 2016, and Defendants filed objections on August 15, 2016.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed on July 15, 2016, are adopted in full; and
2. Defendants' motion to dismiss Plaintiff's request for injunctive relief and official-capacity claims for monetary damages is GRANTED and these claims are DISMISSED from the action, with prejudice;
3. Defendants' motion to dismiss certain claims for failure to state a cognizable claim for relief is DENIED;
4. Plaintiff's motion to amend and/or supplement the second amended complaint is GRANTED to the cure the Federal Rule of Civil Procedure 20 defect only;
5. Defendants' motion to sever Plaintiff's medical claim against Defendants Does Three, Four, Five and Six is DENIED, without prejudice;
6. The Clerk of Court is directed to file and docket Plaintiff's third amended complaint, attached to his objections at pages 19 through 82 (ECF No. 53)¹; and
7. The matter is referred back to the magistrate judge for further proceedings, including screening of the third amended complaint pursuant to 28 U.S.C. § 1915A.

IT IS SO ORDERED.

Dated: September 28, 2016

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

¹ References to page numbers are to the Court's Electronic Case File pagination headers.