

1 Martinez's conduct and the alleged constitutional violation by Defendant Vidaurri." (ECF No. 6,
2 Findings and Recommendations 6:26-7:1-3.) Having carefully reviewed the entire file, including
3 Defendant's objections, the Court finds the Findings and Recommendations to be supported by the
4 record and by proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Findings and Recommendations, filed on September 1, 2015, are adopted in full;
7 and
- 8 2. Defendant Martinez's motion to dismiss is DENIED.

9
10 IT IS SO ORDERED.

11 Dated: November 16, 2015

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