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

MIKE BAKER,	)	Case No.: 1:15-cv-00693-AWI-BAM (PC)
	)	
Plaintiff,	)	ORDER ADOPTING FINDINGS AND
	)	RECOMMENDATIONS, DISMISSING CERTAIN
v.	)	CLAIMS AND DEFENDANTS FOR THE
	)	FAILURE TO STATE A CLAIM
S. CACOA, et al.,	)	
	)	(ECF Nos. 19, 20, 22, 24)
Defendants.	)	
	)	
	)	

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Plaintiff Mike Baker is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 1, 2017, the assigned Magistrate Judge issued findings and recommendations that this matter proceed only on Plaintiff’s claims against Defendants Ponce De Leon and Vasquez for retaliation in violation of the First Amendment, and against Defendants Cocoa, Ponce De Leon, Guizar, Vasquez, Singh and Jane Doe for deliberate indifference to serious medical needs in violation of the Eighth Amendment, medical malpractice, violations of California Government Code § 845.6, and negligent infliction of emotional distress. (ECF No. 24.) The Magistrate Judge further found that all other claims and defendants should be dismissed for the failure to state a cognizable claim for relief. Plaintiff was directed to file his objections to those findings and recommendations within thirty days. That deadline has passed, and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the Court has conducted a *de novo* review of this case. 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 June 1, 2017 (ECF No. 24) are ADOPTED in full;

2. This action shall proceed against on Plaintiff's claims Defendants Ponce De Leon and Vasquez for retaliation in violation of the First Amendment, and against Defendants Cocoa, Ponce De Leon, Guizar, Vasquez, Singh and Jane Doe for deliberate indifference to serious medical needs in violation of the Eighth Amendment, medical malpractice, violations of California Government Code § 845.6, and negligent infliction of emotional distress;

3. Defendants E. Beam, Vagel, Cuevas, T. Caldwell and R. Cervantes, and all other claims, are hereby dismissed for the failure to state a cognizable claim upon which relief may be granted;

4. The Clerk of the Court is directed to update the docket and caption to reflect the foregoing; and

5. This matter is referred back to the assigned Magistrate Judge for further proceedings consistent with this order.

IT IS SO ORDERED.

Dated: July 21, 2017

  
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SENIOR DISTRICT JUDGE