

1 Plaintiff filed a notice of his intent to proceed only on the claim found to be cognizable. (ECF No.
2 30.)

3 Accordingly, it is HEREBY RECOMMENDED that this action proceed against Defendants
4 Captain Horton and Melhoff for denial of medical care in violation of the Fourteenth Amendment and
5 all other claims and defendants be dismissed from the action for failure to state a cognizable claim for
6 relief.

7 These Findings and Recommendations will be submitted to the United States District Judge
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **thirty (30) days** after
9 being served with these Findings and Recommendations, Plaintiff may file written objections with the
10 Court. The document should be captioned “Objections to Magistrate Judge’s Findings and
11 Recommendations.” Plaintiff is advised that failure to file objections within the specified time may
12 result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
13 (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

14
15 IT IS SO ORDERED.

16 Dated: September 8, 2016



UNITED STATES MAGISTRATE JUDGE