1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 MIGUEL G. SIFUENTES, 11 No. 1: 16-cv-00241-DAD-GSA 12 Plaintiff. ORDER ADOPTING FINDINGS AND 13 RECOMMENDATIONS THAT THIS ACTION v. PROCEED ONLY AGAINST DEFENDANT 14 DR. OLA, et al., VIOLATION OF THE EIGHTH 15 Defendants. AMENDMENT AND DISMISSING ALL OTHER CLAIMS AND DEFENDANTS \ 16 17 (Doc. No. 37) 18 19 Plaintiff Miguel G. Sifuentes is a state prisoner proceeding pro se in this civil rights action 20 filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge 21 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 22 On February 28, 2019, the assigned magistrate judge entered findings and 23 recommendations, recommending that this case proceed only against defendant Dr. Ola for failure 24 to provide adequate medical care in violation of the Eighth Amendment, and that all other claims 25 and defendants be dismissed from this case for failure to state a claim. (Doc. No. 37.) Plaintiff 26 was granted fourteen days to file objections to the findings and recommendations. (Id. at 3.) The 27 fourteen-day period has expired, and plaintiff has not filed objections or responded otherwise to

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the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and proper analysis. Accordingly, 1. The findings and recommendations issued by the magistrate judge on February 28, 2019 (Doc. No. 37) are adopted; 2. This action now proceeds with plaintiff's first amended complaint, filed on April 26, 2017, against defendant Dr. Ola for failure to provide adequate medical care in violation of the Eighth Amendment; 3. All other claims and defendants are dismissed from this action; 4. This case is referred back to the magistrate judge for further proceedings, including initiation of service of process. IT IS SO ORDERED. Dated: May 13, 2019