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3 UNITED STATES DISTRICT COURT  
4 EASTERN DISTRICT OF CALIFORNIA  
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6 ANDRE UNDERWOOD,

7 Plaintiff,

8 v.

9 R. COX and C. STANLEY,

10 Defendants.  
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Case No. 1:16-cv-00597-AWI-EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

(ECF NOS. 9, 10, 14 & 39)

12 Andre Underwood (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*  
13 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred  
14 to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

15 On December 7, 2017, Magistrate Judge Erica P. Grosjean entered findings and  
16 recommendations, recommending that all claims and defendants, except for Plaintiff’s claim  
17 against Defendants R. Cox and C. Stanley for violation of the Eighth Amendment based on  
18 conditions of confinement (specifically the lack of outdoor exercise), be dismissed. (ECF No.  
19 39, pgs. 12-13).

20 The parties were provided an opportunity to file objections to the findings and  
21 recommendations within fourteen days. No objections were filed.

22 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this  
23 Court has conducted a de novo review of this case. Having carefully reviewed the entire file,  
24 the Court finds the findings and recommendations to be supported by the record and proper  
25 analysis.

26 Accordingly, THE COURT HEREBY ORDERS that:

- 27 1. The findings and recommendations issued by the magistrate judge on December 7,  
28 2017, are ADOPTED IN FULL;

- 1           2. All claims and defendants, except for Plaintiff's claim against Defendants R. Cox  
2           and C. Stanley for violation of the Eighth Amendment based on conditions of  
3           confinement (specifically the lack of outdoor exercise), are DISMISSED; and  
4           3. This case is referred back to the magistrate judge for further proceedings.

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6 IT IS SO ORDERED.

7 Dated: January 10, 2018

  
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8 SENIOR DISTRICT JUDGE

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