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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 KIMIKO RANSOME,

12 Plaintiff,

13 vs.

14 M. BARON,

15 Defendant.
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Case No. 1:16-cv-01545-LJO-JDP (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS NON-
COGNIZABLE CLAIM AGAINST
DEFENDANT BARON

(ECF No. 16)

17 Kimiko Ransome (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
18 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to
19 a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On March 1, 2018, Magistrate Judge Michael J. Seng entered findings and
21 recommendations that Plaintiff’s case proceed on the cognizable excessive force claim against
22 Defendant Baron, and that Plaintiff’s claim for Eighth Amendment conditions of confinement
23 against Defendant Baron be dismissed with prejudice. (ECF No. 16.) Plaintiff was provided an
24 opportunity to file objections to the findings and recommendations. Plaintiff filed her
25 objections on April 27, 2018. (ECF No. 20.)

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

1 analysis.

2 Accordingly, THE COURT HEREBY ORDERS that:

- 3 1. The findings and recommendations issued by the Magistrate Judge on March 1,
4 2018, (ECF No. 16), are ADOPTED in full;
- 5 2. Plaintiff's case shall proceed on the cognizable excessive force claim against
6 Defendant Baron;
- 7 3. Plaintiff's claim for Eighth Amendment conditions of confinement against
8 Defendant Baron be dismissed with prejudice; and
- 9 4. Plaintiff shall refer to the Magistrate Judge's instructions in the March 1, 2018
10 findings and recommendations for information concerning executing service of
11 process upon the defendant.

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13 IT IS SO ORDERED.

14 Dated: May 10, 2018

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