



1 5.) Plaintiff was ordered to file an amended complaint or notify the court in writing if he wished  
2 to proceed only on the claims found to be cognizable in the court's screening order. (*Id.*)  
3 Plaintiff responded that he did not wish to amend and instead wishes to proceed only on the  
4 claims found by the court to be cognizable. (Doc. No. 7.) Accordingly, on February 28, 2017,  
5 the magistrate judge issued findings and recommendations recommending that this action proceed  
6 only on the claims found to cognizable in the screening order and that the remaining claims and  
7 defendants be dismissed from this action. (Doc. No. 17.) Plaintiff filed no objections to the  
8 findings and recommendations and the time for doing so has passed.

9 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a  
10 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings  
11 and recommendations to be supported by the record and by proper analysis.

12 Accordingly,

- 13 1. The court adopts in full the findings and recommendations filed February 28, 2017  
14 (Doc. No. 17);
- 15 2. This action shall proceed only on the following claims: an Eighth Amendment  
16 claim for deliberate indifference to a serious medical need against Defendants  
17 Lozovoy and Relevante; an Eighth Amendment conditions of confinement claim  
18 against defendants Ferris and Godfrey; and a First Amendment retaliation claim  
19 against defendants Ferris and Godfrey; and
- 20 3. All other claims and defendants are dismissed from this action for failure to state a  
21 claim.

22 IT IS SO ORDERED.

23 Dated: May 5, 2017

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26 UNITED STATES DISTRICT JUDGE  
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