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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AUBREY LEE BROTHERS, II,
Plaintiff,
v.
CHITA BUENAFE, *et al.*,
Defendants.

Case No. 1:17-cv-00607-LJO-JDP (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS THAT PLAINTIFF
PROCEED ON COGNIZABLE CLAIMS
AND THAT NON-COGNIZABLE CLAIMS
BE DISMISSED WITHOUT LEAVE TO
AMEND

ECF Nos. 24, 28

Plaintiff is a state prisoner proceeding without counsel in this civil rights action brought under 42 U.S.C. § 1983. The court has referred this matter to a magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 8, 2019, the assigned magistrate judge issued findings and recommendations that the court allow plaintiff to proceed on his medical deliberate indifference claims against defendants Buenafe and Flores, and dismiss all claims against defendant Clark. ECF No. 28. On March 27, 2019, plaintiff filed a notice that he consented to the findings and recommendations. ECF No. 29.

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.

1 Accordingly, IT IS ORDERED that:

- 2 1. The findings and recommendations issued by the magistrate judge on March 8,
3 2019, ECF No. 28, are adopted in full;
- 4 2. Plaintiff's claims against defendant Clark are dismissed; and
- 5 3. This matter is referred back to the assigned magistrate judge for further
6 proceedings.

7
8 IT IS SO ORDERED.

9 Dated: March 30, 2019

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