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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY HOSKINS,  
  
                                Plaintiff,  
  
          v.  
  
L. NGYEN, et al.,  
  
                                Defendants.

No. 1:17-cv-01133-DAD-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND GRANTING  
DEFENDANTS' MOTION FOR SUMMARY  
JUDGMENT

(Doc. Nos. 26, 31)

Plaintiff Anthony Hoskins is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 29, 2019, defendants L. Ngyen and Dr. U. Baniga moved for summary judgment under Federal Rule of Civil Procedure 56, arguing that plaintiff’s Eighth Amendment claim of deliberate indifference to a serious medical did not amount to a cognizable constitutional violation because it was based on mere a difference of opinion as to the appropriate course of treatment for plaintiff’s cystic acne. (Doc. No. 26.) On July 10, 2019, the assigned magistrate judge issued findings and recommendations, recommending that defendants’ motion for summary judgment be granted and judgment be entered in favor of defendants. (Doc. No. 31.) The findings and recommendations were served on the parties and contained notice that any

1 objections thereto were to be filed within thirty days after service. (*Id.* at 14.) No objections have  
2 been filed and the time for doing so has now passed.

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

6 Accordingly,

- 7 1. The findings and recommendations issued on July 10, 2019 (Doc. No. 31) are adopted  
8 in full;
- 9 2. Defendants’ motion for summary judgment (Doc. No. 26) is granted; and
- 10 3. The Clerk of the Court is directed to enter judgment in favor of defendants L. Ngyen  
11 and Dr. U. Baniga and close this case.

12 IT IS SO ORDERED.

13 Dated: October 21, 2019

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16 UNITED STATES DISTRICT JUDGE  
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