

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a
2 *de novo* review of this case. Having carefully reviewed the entire file, including Plaintiff's
3 objections, the Court finds that the findings and recommendations are supported by the record and
4 by proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations issued on November 22, 2019, (ECF No. 33),
7 are adopted in full;
- 8 2. Defendant Patel's motion for partial summary judgment, (ECF No. 28), is
9 GRANTED;
- 10 3. Plaintiff's damages claim against Defendant Patel for mental and emotional
11 injuries is dismissed with prejudice pursuant to 42 U.S.C. § 1997e(e);
- 12 4. This action now proceeds only on Plaintiff's complaint against Defendant Patel for
13 nominal, compensatory, and punitive damages resulting from Defendant Patel's
14 alleged violation of Plaintiff's Eighth Amendment rights; and
- 15 5. This case is referred back to the assigned Magistrate Judge for further proceedings.

16 IT IS SO ORDERED.

17 Dated: October 16, 2020

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19 SENIOR DISTRICT JUDGE