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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MIGUEL TORRES.,)	Case No.: 1:18-cv-00188-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER ADOPTING FINDINGS AND
v.)	RECOMMENDATIONS, DISMISSING CERTAIN
)	CLAIMS AND DEFENDANTS
ISMAIL PATEL, et.al.,)	
)	(Doc. No. 17)
Defendants.)	
)	
)	
)	
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)	

Plaintiff Miguel Torres is appearing *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 December 5, 2018, the assigned Magistrate Judge issued findings and recommendations finding that Plaintiff’s amended complaint states a cognizable claim against Defendants Patel, Ulit, Mansrah, Spaeth and Serda, in their individual capacities, for deliberate indifference in violation of the Eighth Amendment. (Doc. No. 17.) The Magistrate Judge further recommending dismissing all other claims and defendants for the failure to state a claim upon which relief may be granted. (*Id.* at 1.) Those findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen days. (*Id.* at 2.) That deadline has passed, and no objections have been filed.

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

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. The Findings and Recommendations issued on December 5, 2018, (Doc. No. 17) are
6 adopted in full;

7 2. This action proceeds on Plaintiff’s first amended complaint against Defendants Patel,
8 Ulit, Mansrah, Spaeth and Serda, in their individual capacities, for deliberate indifference in violation
9 of the Eighth Amendment;

10 3. All other claims and defendants are dismissed from this action for the failure to state a
11 cognizable claim; and

12 4. This matter is referred back to the assigned Magistrate Judge for further proceedings
13 consistent with this order, including initiation of service of process.

14
15 IT IS SO ORDERED.

16 Dated: January 3, 2019

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