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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 XZAVR MOORE also known as AMBER
11 MOORE,

12 Plaintiff,

13 v.

14 S. TORRES, *et al.*,

15 Defendants.
16

Case No. 1:18-cv-00601-LJO-EPG (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

(ECF Nos. 12, 15)

17 Xzavr Moore also known as Amber Moore (“Plaintiff”) is a state prisoner proceeding
18 *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On
19 September 12, 2018, Plaintiff filed a First Amended Complaint against S. Torres, M. Quandt,
20 and C. Grieco (collectively, “Defendants”), correctional officers at Central California Women’s
21 Facility. (ECF No. 12). The matter was referred to a United States Magistrate Judge pursuant to
22 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

23 On November 8, 2018, Magistrate Judge Erica P. Grosjean entered findings and
24 recommendations recommending that all claims and defendants in the action be dismissed,
25 except Plaintiff’s claim against C. Grieco for retaliation in violation of the First Amendment.
26 (ECF No. 15).

27 Plaintiff was provided an opportunity to file objections to the findings and
28 recommendations. *Id.* Plaintiff filed objections on December 3, 2018. (ECF No. 16).

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this
2 Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
3 the Court finds the findings and recommendations to be supported by the record and proper
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations issued on November 8, 2018, (ECF No. 15), are
7 ADOPTED in full;
- 8 2. This action shall proceed against C. Grieco on Plaintiff's claim of retaliation in
9 violation of the First Amendment;
- 10 3. All other claims and defendants, including S. Torres and M. Quandt, are dismissed;
11 and
- 12 4. This action is referred to the Magistrate Judge for further proceedings.

13
14 IT IS SO ORDERED.

15 Dated: December 4, 2018

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