



1 834, 839 (9th Cir. 2014); *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) To date, no  
2 objections have been filed and the time to do so has passed.

3 According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of this  
4 case. Having carefully reviewed the file, the Court concludes the magistrate judge's Findings and  
5 Recommendations to be supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 6 1. The Findings and Recommendations filed on November 7, 2022 (Doc. 134) are  
7 **ADOPTED** in full.
- 8 2. Defendants' motion to strike Plaintiff's sur-replies (Doc. 75) is **GRANTED**.
- 9 3. Defendants' motion for summary judgment for a failure to exhaust administrative  
10 remedies pertaining to Plaintiff's claims of excessive force against Defendants  
11 Vasquez, Fisher and Washington is **DENIED**.
- 12 4. Defendants' motion for summary judgment for a failure to exhaust administrative  
13 remedies pertaining to Plaintiff's claim of deliberate indifference to serious  
14 medical needs against Defendant Ramos is **DENIED without prejudice**.
- 15 5. Defendants' motion for summary judgment for a failure to exhaust administrative  
16 remedies pertaining to Plaintiff's claim of sexual assault against any Defendant is  
17 **DENIED without prejudice**.
- 18 6. This case is referred to the magistrate judge for further proceedings.

19  
20 IT IS SO ORDERED.

21 Dated: November 29, 2022

  
UNITED STATES DISTRICT JUDGE