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## UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF CALIFORNIA

KYLE NARGIZ,	Case No. 1:19-cv-001173-AWI-GSA (PC)
Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS
v.	
GTIVA DTI GAMEDA (AAA)	(Doc. No. 14)
STUART SHERMAN, et al.,	
Defendants.	

Plaintiff Kyle Nargiz is a state prisoner proceeding pro se and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Eastern District of California Local Rule 302.

On February 1, 2021, the magistrate judge entered findings and recommendations, recommending that this action proceed only against defendants Stuart Sherman and Richard Milan on Plaintiff's claims for adverse conditions of confinement under the Eighth Amendment, and that all other claims be dismissed from this action based on Plaintiff's failure to state a claim. Doc. No. 14. Plaintiff was granted fourteen days in which to file objections to the findings and recommendations. <u>Id.</u> The fourteen-day time period has expired, and Plaintiff has not filed objections or otherwise responded to the findings and recommendations.

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

## Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (Doc. No. 14) entered on February 1, 2021, are

1		ADOPTED in full;
2	2.	This case now proceeds only against defendants Stuart Sherman and Richard
3		Milan on Plaintiff's claims for adverse conditions of confinement under the Eighth
4		Amendment;
5	3.	The Court DECLINES to exercise supplemental jurisdiction over Plaintiff's state-
6		law claims;
7	4.	All other claims are DISMISSED from this case based on Plaintiff's failure to state
8		a claim; and
9	5.	This case is REFERRED to the magistrate judge for further proceedings, including
10		initiation of service of process.
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12	IT IS SO ORI	
13	Dated: <u>Apri</u>	11, 2021 SENIOR DISTRICT JUDGE
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