

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

4 Accordingly,

- 5 1. The findings and recommendations issued on September 15, 2022, (ECF No. 52),
6 are ADOPTED in full;
- 7 2. Defendants' motion for summary judgment for Plaintiff's failure to exhaust his
8 administrative remedies as to his deliberate indifference claims against Defendants
9 De Lussa and Rios, (ECF No. 47), is GRANTED;
- 10 3. This action is DISMISSED without prejudice for Plaintiff's failure to exhaust
11 administrative remedies prior to filing suit; and
- 12 4. The Clerk of the Court is directed to close this case.

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15 IT IS SO ORDERED.

16 Dated: December 7, 2022

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19 UNITED STATES DISTRICT JUDGE
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are due on November 4, 2022. (*Id.* at 3.) In other words, if Plaintiff intends to file objections, he remains obligated to do so timely, and the instant motion does not affect the deadline for filing said objections.” (*Id.*)