1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 No. 1:20-cv-00524-NONE-SKO (PC) GILBERT NAVARRO, 12 Plaintiff. ORDER ADOPTING FINDINGS AND 13 v. RECOMMENDATIONS 14 J. STCLAIR, et al., (Doc. No. 13) 15 Defendants. 16 17 Plaintiff Gilbert Navarro is a state prisoner proceeding pro se and in forma pauperis in this civil rights action under 42 U.S.C. § 1983. This matter was referred to a United States 18 19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On August 17, 2020, the assigned magistrate judge filed a screening order, finding that plaintiff's first amended complaint (Doc. No. 8) states cognizable claims of deliberate 21 22 indifference against the defendants in their individual capacities but not in their official 23 capacities. (Doc. No. 10.) The magistrate judge directed plaintiff to file a second amended 24 complaint curing the deficiencies in his pleading or to notify the court of his desire to proceed only on the individual-capacity claims. (Id. at 1, 4.) On August 26, 2020, Plaintiff filed a notice 25 that he wishes to "dismiss[] his official capacity claims, further standing by the remainder of his 26 27 claims ... in the 'First Amended Complaint.'" (Doc. No. 11.)

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Accordingly, on August 31, 2020, the magistrate judge filed findings and recommendations, recommending that plaintiff's official-capacity claims be dismissed. (Doc. No. 13.) The findings and recommendations were served on plaintiff and provided him fourteen (14) days to file objections thereto. (Id. at 1-2.) Plaintiff has not filed any objections and the time to do so has passed. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a de novo review of this case. Having carefully reviewed the file, the court finds the findings and recommendations to be supported by the record and proper analysis. Accordingly, 1. The findings and recommendations issued on August 31, 2020 (Doc. No. 13) are adopted in full; 2. Plaintiff's official-capacity claims are dismissed; and, 3. This case is referred back to the assigned magistrate judge for further proceedings. IT IS SO ORDERED. Dated: October 1, 2020