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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 TERRENCE JESSE MOORE,

9 Plaintiff,

10 v.

11 HEATHER DIAZ,

12 Defendant.
13

Case No. 1:20-cv-00865-AWI-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(DOC NOS. 1 & 9)

14 Terrence Jesse Moore (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
15 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred
16 to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

17 On June 30, 2020, Magistrate Judge Erica P. Grosjean entered findings and
18 recommendations, recommending that “[t]his case proceed on Plaintiff’s Eighth Amendment
19 claims against defendant Diaz for failure to protect and deliberate indifference to serious
20 medical needs,” and that “Plaintiff’s retaliation claim be dismissed.” (ECF No. 9, p. 9).

21 Plaintiff was provided an opportunity to file objections to the findings and
22 recommendations. The deadline for filing objections has passed and Plaintiff has not filed
23 objections or otherwise responded to the findings and recommendations.

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

28 Accordingly, THE COURT HEREBY ORDERS that:

- 1 1. The findings and recommendations issued by the magistrate judge on June 30,
- 2 2020, are ADOPTED in full;
- 3 2. This case proceed on Plaintiff's Eighth Amendment claims against defendant
- 4 Diaz for failure to protect and deliberate indifference to serious medical needs;
- 5 3. Plaintiff's retaliation claim is dismissed; and
- 6 4. This case is referred back to the magistrate judge for further proceedings.

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8 IT IS SO ORDERED.

9 Dated: September 9, 2020



10 SENIOR DISTRICT JUDGE