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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TRAVIS JUSTIN CUELLAR,)	No.: 1:20-cv-00960-NONE-SAB (PC)
)	
Plaintiff,)	
)	<u>ORDER ADOPTING FINDINGS AND</u>
v.)	<u>RECOMMENDATIONS</u>
)	
MADERA COUNTY DEPARTMENT OF)	(Doc. No. 13)
CORRECTIONS HEALTH CARE)	
PROVIDER,)	
)	
Defendant.)	
)	
)	
)	

Plaintiff Travis Justin Cuellar is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 9, 2020, the magistrate judge screened plaintiff’s first amended complaint and found that plaintiff stated a cognizable deliberate indifference claim against Defendants Dr. Gustaveson and nurse Debbie. (Doc. No. 9.) However, plaintiff was advised that he failed to state any other cognizable claims against any other defendant. (*Id.*) On September 18, 2020, plaintiff filed a notice indicating that he wishes to proceed on the claim found to be cognizable in the screening order and to dismiss all other defendants. (Doc. No. 11.) Accordingly, on September 22, 2020, the

1 assigned magistrate judge filed findings and recommendations, recommending that this action proceed
2 on plaintiff's deliberate indifference claim against defendants Dr. Gustaveson and nurse Debbie, and
3 all other defendants be dismissed from the action. (Doc. No. 13.) The findings and recommendations
4 were served on plaintiff and contained notice that objections were due within fourteen (14) days. (*Id.*)
5 Plaintiff did not file objections and the time to do so has expired.

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

9 Accordingly,

- 10 1. The findings and recommendations issued on September 22, 2020 (Doc. No. 13) are
11 adopted in full;
- 12 2. This action shall proceed on plaintiff's deliberate indifference claim against defendants
13 Dr. Gustaveson and nurse Debbie;
- 14 3. All other defendants are dismissed from the action; and
- 15 4. The matter is referred back to the magistrate judge for further proceedings.

16
17 IT IS SO ORDERED.

18 Dated: October 13, 2020



19 UNITED STATES DISTRICT JUDGE