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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ESMELING BAHENA,	)	Case No.: 1:20-cv-01685-AWI-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER ADOPTING FINDINGS AND
v.	)	RECOMMENDATIONS
	)	
RODRIGUEZ, et al.,	)	(Doc. No. 14)
	)	
Defendants.	)	
	)	
	)	

Plaintiff Esmeling Bahena 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 April 14, 2021, the Magistrate Judge issued Findings and Recommendations recommending that this action proceed on Plaintiff’s failure to protect claim against Defendants Farlon, Rodriguez, Stan and Hernandez, and excessive force claim Defendant Harmon. (Doc. No. 14.) The Findings and Recommendations were served on plaintiff and contained notice that objections were to be filed within fourteen days. (*Id.*) To date, no objections have been filed and the time to do so has now passed.

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 finds the Findings and Recommendations to be supported by the record and by proper analysis.


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Based on the foregoing, it is HEREBY ORDERED that:

- 1.. The Findings and Recommendations filed on April 14, 2021 (Doc. No. 14), are adopted in full;
2. This action shall proceed on Plaintiff's failure to protect claim against Defendants Farlon, Rodriguez, Stan and Hernandez, and excessive force claim Defendant Harmon; and
3. All other claims and Defendants are dismissed from the action for failure to state a cognizable claim for relief.

IT IS SO ORDERED.

Dated: May 11, 2021

  
\_\_\_\_\_  
SENIOR DISTRICT JUDGE