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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY JAMES PORTER,

 Plaintiff,

 v.

O. RIVAS, et al.,

 Defendants.

No. 1:22-cv-00105-ADA-CDB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS
CERTAIN CLAIMS AND DEFENDANT

(ECF No. 19)

Plaintiff Larry James Porter is a state prisoner proceeding *pro se* 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 March 1, 2023, the assigned Magistrate Judge issued findings and recommendations recommending that Plaintiff’s complaint be dismissed, except for Plaintiff’s deliberate indifference to serious medical need claim against Defendant Rivas. (ECF No. 19.) Further, the assigned Magistrate Judge recommended Defendant Cisneros be dismissed from this action. (*Id.*) The findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days of service. (*Id.*) On March 10, 2023, Plaintiff filed a statement of nonobjection. (ECF No. 20.)

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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. Further, because there are
4 no objections, the Court adopts the findings and recommendations.

5 Accordingly,

- 6 1. The findings and recommendations issued on March 1, 2023 (ECF No. 19), are
7 adopted in full;
- 8 2. The Court DISMISSES all of Plaintiff's claims EXCEPT his claim of deliberate
9 indifference to serious medical need against Defendant Rivas;
- 10 3. Defendant Cisneros is DISMISSED from this action;
- 11 4. The Clerk of Court is directed to update the docket to reflect the ruling of this order;
12 and
- 13 5. The matter is referred back to the Magistrate Judge for further proceedings.

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16 IT IS SO ORDERED.

17 Dated: May 31, 2023

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20 UNITED STATES DISTRICT JUDGE
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