

1 cognizable in the screening order within thirty (30) days of service of that order. (*Id.* at 8.) On
2 May 4, 2022, plaintiff notified the court that he was willing to proceed only on the claims
3 identified by the magistrate judge in the screening order as cognizable. (Doc. No. 10.)

4 Accordingly, on May 5, 2022, the magistrate judge issued findings and recommendations
5 recommending that this case proceed only on the claims found to be cognizable in the screening
6 order. (Doc. No. 11.) The magistrate judge also recommended that all other claims brought, and
7 all other defendants named, by plaintiff in his complaint be dismissed from this action. (*Id.* at 8.)
8 The findings and recommendations were served on plaintiff and contained notice that any
9 objections thereto were to be filed within fourteen (14) days after service. (*Id.*) Plaintiff did not
10 file objections to the pending findings and recommendations. Instead, on May 26, 2022, plaintiff
11 filed a notice to reiterate his willingness to proceed only on the claims found to be cognizable in
12 the screening order and to inform the court that he “accepts” the pending findings and
13 recommendations. (Doc. No. 12.)

14 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
15 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
16 findings and recommendations are supported by the record and proper analysis.

17 Accordingly,

- 18 1. The findings and recommendations issued on May 5, 2022 (Doc. No. 11) are
19 adopted in full;
- 20 2. This action shall proceed on plaintiff’s claims against defendant Lima for failure to
21 protect and failure to intervene in violation of the Eighth Amendment of the U.S.
22 Constitution;
- 23 3. All other claims and named defendants are dismissed;
- 24 4. The Clerk of the Court is directed to update the docket to reflect that defendant
25 California Department of Corrections has been terminated as a named defendant in
26 this action; and

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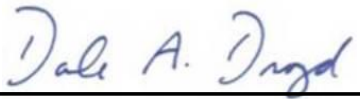
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5. This action is referred back to the assigned magistrate judge for further proceedings consistent with this order.

IT IS SO ORDERED.

Dated: May 27, 2022


UNITED STATES DISTRICT JUDGE