

1 1391, 1394 (9th Cir. 1991). Plaintiff failed to file objections by the relevant deadline, and the
2 Court adopted the findings and recommendations on December 12, 2023. (Doc. 35.) However,
3 Plaintiff submitted objections for mailing a few days late, on December 10, 2023. (Doc. 38, filed
4 Dec. 13, 2023.) In an abundance of caution, the Court has considered the objections as though
5 they had been timely filed and performed a renewed de novo review pursuant to 28 U.S.C.
6 § 636(b)(1)(C). Having carefully reviewed the matter anew, including Plaintiff's objections, the
7 Court again concludes the Findings and Recommendations to be supported by the record and
8 proper analysis. Accordingly, the Court **ORDERS**:

- 9 1. The Findings and Recommendations issued November 21, 2023 (Doc. 34) are
10 **ADOPTED** in full.
- 11 2. This action **PROCEEDS** on Plaintiff's Eighth Amendment deliberate indifference to
12 serious medical needs claims against Defendants Fishburn, Merritt and Carlson, in
13 their individual capacities, First Amendment retaliation claim against Defendant
14 Merritt, in her individual capacity, Fourteenth Amendment equal protection clause
15 claim against Defendant Carlson, in her individual capacity, and state law equal
16 protection clause claim against Defendant Carlson, in her individual capacity, pursuant
17 to 42 U.S.C. § 1983.
- 18 3. The following Defendants are **DISMISSED** from this action:
 - 19 a. Public Entity of CDCR in Corcoran Calif
 - 20 b. Jessia Huffman
 - 21 c. Registered Nurses at SATF
 - 22 d. S. Thomas
 - 23 e. E. Johnson
 - 24 f. Melisa Fritz
 - 25 g. Godwin Ugwueze
 - 26 h. Clarence Cryer, Jr.
 - 27 i. California Department of Corrections and Rehabilitation
 - 28 j. Public Entity State Administration of Prisons in Sacramento CA

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4. The remaining claims in Plaintiff's first amended complaint are **DISMISSED**.

5. This matter is referred to the assigned magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: **December 19, 2023**


UNITED STATES DISTRICT JUDGE