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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AARON D. SEYMOUR,  
Plaintiff,  
v.  
H. SHIRLEY, et al.,  
Defendants.

No. 1:22-cv-00938-JLT-EPG (PC)  
**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ONE CLAIM WITH PREJUDICE**  
(Docs. 1 & 10)

Aaron D. Seymour (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 10, 2022, the assigned magistrate judge found that Plaintiff’s Eighth Amendment conditions of confinement claims against defendants Shirley, Degough, and Cronjager, which are based on allegations that the water at Wasco State Prison is contaminated and that Defendants have not appropriately responded to the issue, should proceed past screening. (Doc. 9.) The assigned magistrate judge also entered findings and recommendations, recommending “that Plaintiff’s Eighth Amendment conditions of confinement against defendant Shirley based on allegations that she misallocated federal funds be DISMISSED with prejudice.” (Doc. 10 at 2.)

1 Plaintiff was provided an opportunity to file objections to the findings and  
2 recommendations. The deadline for filing objections has passed and Plaintiff has not filed  
3 objections or otherwise responded to the findings and recommendations.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this  
5 Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the  
6 Court finds the findings and recommendations to be supported by the record and proper analysis.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The findings and recommendations issued on August 10, 2022, (Doc. 10), are  
9 **ADOPTED IN FULL.**
- 10 2. Plaintiff's Eighth Amendment conditions of confinement against defendant Shirley  
11 based on allegations that she misallocated federal funds is **DISMISSED** with  
12 prejudice.
- 13 3. The case shall remain OPEN.

14  
15 IT IS SO ORDERED.

16 Dated: September 18, 2022

  
UNITED STATES DISTRICT JUDGE