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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD TORRES,
Plaintiff,
v.
JAYSON QUICK, et al.,
Defendants.

No. 1:22-cv-01536-ADA-EPG (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS
(ECF Nos. 1, 13, 18)

Plaintiff Edward Torres (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983, which includes state law claims. 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 April 19, 2023, the assigned Magistrate Judge entered findings and recommendations, recommending “that all claims and defendants be dismissed, except for Plaintiff’s Eighth Amendment excessive force claims against defendants Quick, Garza, Garcia, Valadez, Prince, and Martinez; his Eighth Amendment failure to protect claims against defendants Quick, Garza, Garcia, Valadez, Prince, and Martinez; and his Eighth Amendment claim against defendant Ontiveros for deliberate indifference to his serious medical needs.” (ECF No. 18 at 2.)

Plaintiff had the opportunity to file objections to the findings and recommendations. The deadline for filing objections has passed, and Plaintiff has not filed objections or otherwise

1 responded to the findings and recommendations.


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

5 Accordingly,

- 6 1. The findings and recommendations issued on April 19, 2023, (ECF No. 18), are
7 adopted in full;
- 8 2. All claims and defendants are dismissed, except for Plaintiff's Eighth Amendment
9 excessive force claims against defendants Quick, Garza, Garcia, Valadez, Prince,
10 and Martinez; his Eighth Amendment failure to protect claims against defendants
11 Quick, Garza, Garcia, Valadez, Prince, and Martinez; and his Eighth Amendment
12 claim against defendant Ontiveros for deliberate indifference to his serious
13 medical needs; and
- 14 3. The Clerk of Court is directed to reflect the dismissal of defendants Alvarez,
15 Mendoza, and Gustavian on the Court's docket.

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18 IT IS SO ORDERED.

19 Dated: June 30, 2023


UNITED STATES DISTRICT JUDGE

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