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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 24, 2013, are adopted in full;

2. Defendants' February 13, 2013 motion to dismiss (ECF No. 24) is granted, and the following claims are dismissed without prejudice:

(a) the claim against defendants Braunger and Kiesz regarding their alleged failure to provide timely access to a primary care physician; and

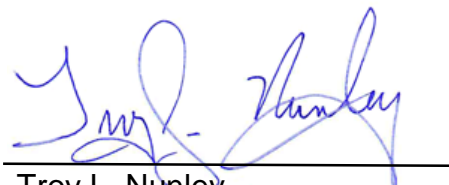
(b) all claims against defendants Austin, Morgan, Mefford, McAlpine, Trujillo, Davis, Fleischman, and Villanueva (de la Vega)

3. Plaintiff's May 31, 2013 motion for a stay (ECF No. 32) is denied;

4. This action proceeds on plaintiff's Eighth Amendment claims against defendants Fontillas, Froland and Broughn.

5. This action also proceeds on plaintiff's claim that defendants Braunger and Keisz were deliberately indifferent to his medical needs in relation to the delay in plaintiff's receiving his prescribed medication.

DATED: November 20, 2013


Troy L. Nunley
United States District Judge

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