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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID G. LEONARD,
Plaintiff,
v.
JIM DENNY, et al.,
Defendants.

No. 2:12-CV-0915 TLN AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. 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 1, 2013, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Defendants have filed objections to the findings and recommendations, ECF No. 43, and plaintiff has filed an opposition and reply to said objections, ECF No. 48.

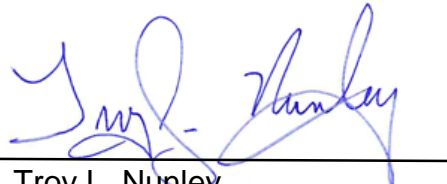
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 1, 2013 (ECF No. 41) are ADOPTED in full;
2. Defendants' motion to dismiss (ECF No. 19) is denied as to the following claims: 1) plaintiff's claim of deliberate indifference to serious medical needs; 2) the claim based on supervisory liability against defendant Denney; 3) and the Monell claim against the County;
3. Defendant's motion to dismiss is granted with respect to plaintiff's ADA claim against Sutter County; the equal protection claim against the County; the state law negligence claims; the state-law-based claims; and the claims for professional negligence against the County; and,
4. Plaintiff is granted leave to amend the above-referenced dismissed claims against Sutter County within thirty days of the filing date of this order.

Dated: December 16, 2013



Troy L. Nunley
United States District Judge

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