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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD LOPEZ,

Plaintiff,

v.

J. KRIEG, et al.,

Defendants.

No. 2:13-cv-1176 KJM 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 as provided 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 6, 2015, the magistrate judge filed findings and recommendations, 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.

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 file, the


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1 court finds the findings and recommendations to be supported by the record and by proper
2 analysis. The court notes the following correction to the sentence at page 13, lines 16-20. That
3 sentence should read “Defendants Krieg and McDow exercised their medical judgment to
4 conclude not only that plaintiff’s objective dental needs and subjective complaints did not come
5 within the criteria of the Prosthodontic Guideline, but also that these factors did not warrant a
6 Special Prosthetic Needs exemption request to the DAR.”

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. With the correction noted in this order, the findings and recommendations filed
9 July 6, 2015 are adopted in full;
- 10 2. Defendants’ motion to dismiss is granted in part;
- 11 3. Defendants Freichter and Zamora are dismissed from this action; and
- 12 4. This action proceeds on plaintiff’s Eighth Amendment medical deliberate
13 indifference claims against defendants Krieg and McDow.

14 DATED: August 10, 2015.

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17 UNITED STATES DISTRICT JUDGE
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