

1 Accordingly, IT IS HEREBY ORDERED that Defendants' motion for summary judgment
2 (ECF No. 30) is granted in part and denied in part:

3 1. The findings and recommendations filed March 9, 2017 (ECF No. 53) are adopted
4 in full;

5 2. Summary judgment is granted on behalf of Defendant Kesler concerning all
6 deliberate indifference claims;

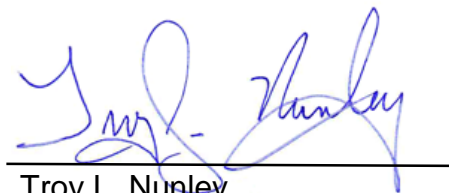
7 3. Summary judgment is granted on behalf of Defendant Gustafson concerning the
8 retaliation, deliberate indifference, and excessive force claims arising from the handcuffing of
9 Plaintiff;

10 4. Summary judgment is denied on behalf of Defendants Aguilera, Blomquist,
11 Gustafson, and Walker concerning the deliberate indifference claims arising from the alleged
12 denial of medical treatment after the use of force incident;

13 5. Summary judgment is denied on behalf of Defendant Gustafson concerning the
14 excessive force claim arising from his use of pepper spray against Plaintiff; and

15 6. Summary judgment is denied on behalf of Defendants Aguilera, Blomquist,
16 Gustafson, and Walker concerning their qualified immunity defenses.

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18 Dated: March 31, 2017



Troy L. Nunley
United States District Judge