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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 TORBIO MENDOZA,

12 Plaintiff,

13 v.

14 SPADARO, et al.,

15 Defendants.  
16

No. 2:16-cv-0855 KJM CKD P

ORDER

17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief  
18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided  
19 by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On June 4, 2018, the magistrate judge filed findings and recommendations, which were  
21 served on all parties and which contained notice to all parties that any objections to the findings  
22 and recommendations were to be filed within fourteen days. Neither party has filed objections to  
23 the findings and recommendations.

24 The court presumes that any findings of fact are correct. *See Orand v. United States*, 602  
25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.  
26 *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed  
27 the file, the court finds the findings and recommendations to be supported by the record and by  
28 the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 4, 2018, are adopted in full; and

2. All defendants and claims other than a claim arising under the Eighth Amendment against defendant Spadaro are dismissed.

DATED: July 19, 2018.

  
UNITED STATES DISTRICT JUDGE