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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 24, 2018, are adopted in full; and
2. The First Amendment claims against defendants M. Ditomas, S. Prevette, Joan Gerbasi, J. Lewis, as well as the Eighth Amendment claims against defendants Conchas, T. Morris or T. Morrison, Sergeant Thomas, and Sergeant Anderson are dismissed for failing to state a claim upon which relief can be granted.

DATED: April 11, 2018

/s/ John A. Mendez  
UNITED STATES DISTRICT COURT JUDGE