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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTONIO CARREON,
Plaintiff,
v.
S. ABDUR-RAHMAN, et al.,
Defendants.

No. 2:17-cv-1292 TLN KJN

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 December 31, 2019, 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. (ECF No. 44.) Plaintiff filed objections to the findings and recommendations. (ECF No. 45.) Defendants did not file a reply.

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 the case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

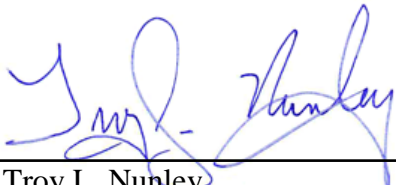
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed December 31, 2019 (ECF No. 44), are ADOPTED IN FULL;
2. Plaintiff's Eighth Amendment claims against defendant Lee based on her role in the 2015 RAP are DISMISSED based on Plaintiff's failure to exhaust such claims; in all other respects, the motion on exhaustion grounds (ECF No. 39) is DENIED;
3. Defendants' motion for summary judgment (ECF No. 39) on Plaintiff's remaining Eighth Amendment claims against Defendant Dr. Lee, and all of Plaintiff's Eighth Amendment claims against Defendant Dr. Abdur-Rahman are GRANTED; and
4. The Clerk of the Court is directed to enter judgment and close this case.

IT IS SO ORDERED.

Dated: March 6, 2020



Troy L. Nunley
United States District Judge