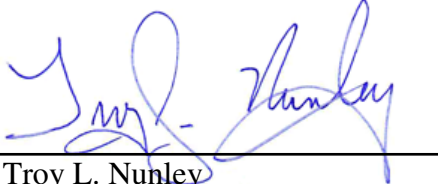


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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 13, 2023 (ECF No. 125), are ADOPTED IN FULL;
2. Defendant Guerra’s motion for summary judgment (ECF No. 100) is DENIED;
3. Defendants Cross, Tran, Swett, Baker, and Smith’s motion for summary judgment (ECF No. 102) is GRANTED;
4. Defendants Cross, Tran, Swett, Baker, and Smith are DISMISSED and this action proceeds against Defendant Guerra only;
5. This matter is referred back to the assigned magistrate judge for all further pretrial proceedings.

DATE: May 10, 2023



Troy L. Nunley
United States District Judge