UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DEXTER BROWN,

Plaintiff,

v.

PURUSHOTTAMA SAGIREDDY,

Defendants.

No. 2:17-cv-2041 KJM AC P

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 as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 22, 2020, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. ECF No. 22. Plaintiff has not filed objections to the findings and recommendations.[1]

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law

[1] It appears plaintiff is deceased. *See* ECF No. 26. Nevertheless, this action may proceed if an appropriate successor or representative is substituted for plaintiff. *Id.*

by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . . ."). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

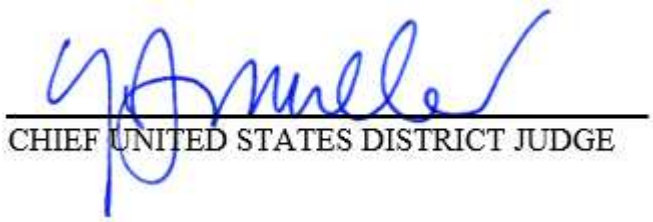
1. The findings and recommendations filed April 22, 2020, are adopted in full;

2. Defendants Edmund G. Brown, Jr., and Dr. Jeffrey Beard are dismissed from this action;

3. This case proceeds, without further amendment to the complaint, on a single Eighth Amendment claim against sole defendant Purushottama Sagireddy for deliberate indifference to plaintiff's serious medical needs; and

4. This matter is referred back to the assigned magistrate judge for all further pretrial proceedings.

DATED: June 10, 2020.



CHIEF UNITED STATES DISTRICT JUDGE