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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	KEITH CANDLER,	No. 2:17-cv-02436 TLN CKD P
12	Plaintiff,	
13	v.	ORDER
14	J. STEWART, et al.,	
15	Defendants.	
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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 pursuant to	
19	28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On April 25, 2018, the magistrate judge filed findings and recommendations herein, which	
21	were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings	
22	and recommendations were to be filed within fourteen days. (ECF No. 13.) Plaintiff has not filed	
23	objections to 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	
27	reviewed the file, the Court finds the findings and recommendations to be supported by the record	
28	and by the magistrate judge's analysis.	
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1	Accordingly, IT IS HEREBY ORDERED that:	
2	1. The findings and recommendations filed April 25, 2018 (ECF No. 13), are adopted in	
3	full.	
4	2. Plaintiff may proceed on the following claims:	
5	(a) Claims against Defendant Lebeck for excessive force and denial of medical	
6	care arising under the Eighth Amendment and a claim arising under the First Amendment	
7	for retaliating against Plaintiff for utilization of an inmate grievance procedure; and	
8	(b) Claim against Defendant Huynh for denial of medical care arising under the	
9	Eighth Amendment.	
10	3. All other claims and Defendants are dismissed.	
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12	Dated: August 7, 2018	
13	Jaco Hunley	
14	Troy L. Nunley	
15	United States District Judge	
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