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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RANDALL DUNHAM,
Plaintiff,
v.
ALIASGHAR MOHYUDDIN, et al.,
Defendants.

No. 2:23-CV-2757-WBS-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On January 29, 2025, the Magistrate Judge filed findings and recommendations herein which were served on the parties, and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the Magistrate Judge’s analysis.


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Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations filed January 29, 2025, ECF No. 27, are adopted in full.
2. Defendants’ partial motion to dismiss, ECF No. 22, is granted.
3. Plaintiff’s Americans with Disabilities Act claim is dismissed as against all individual defendants with leave to amend to name the appropriate public entity and/or name Defendants in their individual and official capacities.
4. Plaintiff’s Eighth Amendment deliberate indifference claim against Defendant Salisbury is dismissed without prejudice.
5. Plaintiff may file a first amended complaint within 30 days of the date of this order.
6. This matter is referred back to the assigned Magistrate Judge for further proceedings.

Dated: March 11, 2025



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE