UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD ARMENTA, Plaintiff, v. SHAH, et al., Defendants.	No. 2:22-cv-00415-TLN-JDP **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 June 13, 2023, the magistrate judge filed findings and recommendations herein which were served on Plaintiff, and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations.

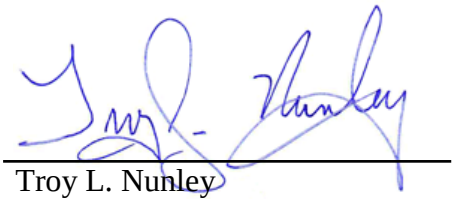
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 13, 2023, are ADOPTED IN FULL;
2. The third amended complaint (ECF No. 31) brings a viable Eighth Amendment claim against Defendant Shah; AND
3. All other claims and Defendants are DISMISSED WITHOUT leave to amend for failure to state a viable claim.

Dated: July 24, 2023



Troy L. Nunley
United States District Judge