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

GERMAN COREAS,
Plaintiff,
vs.
MILLER, et al.,
Defendants.

Case No. 1:10-cv-00703 OWW JLT (PC)
FINDINGS AND RECOMMENDATIONS
RECOMMENDING THAT CERTAIN
CLAIMS AND DEFENDANTS BE
DISMISSED
(Doc. 9)

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed July 5, 2011, the Court screened Plaintiff’s complaint and found that it states a cognizable Eighth Amendment claim against Defendant Miller for inadequate medical care related to the defendant’s failure to provide dressing changes. (Doc. 8 at 7-8.) The Court also found, however, that Plaintiff’s allegations failed to state a cognizable claim against any other defendant. (Id. at 8-10.) The Court therefore instructed Plaintiff to either file an amended complaint or notify the Court that he wished to proceed only on the cognizable claim against Defendant Miller. (Id. at 10-11.) On July 15, 2011, Plaintiff notified the Court that he wished to proceed only on the claim found cognizable by the Court. (Doc. 9.)

Accordingly, for the reasons set forth in the Court’s July 5, 2011 screening order and because Plaintiff has elected not to file an amended complaint curing the deficiencies identified by the Court in its screening order, it is **HEREBY RECOMMENDED** that:

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1. Plaintiff's claims against Defendants Heberling, Neeley, Nicholas, and Enenmoh for inadequate medical care in violation of the Eighth Amendment be **DISMISSED** for failure to state a claim; and
2. This action be allowed to proceed on Plaintiff's claim that Defendant Miller failed to provide dressing changes in violation of the Eighth Amendment.

These findings and recommendations are submitted to the United States District Judge assigned to the case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within seven days after being served with these findings and recommendations, Plaintiff may file written objections with the Court. Should Plaintiff opt to file such a document, it should be titled "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that his failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

IT IS SO ORDERED.

Dated: July 19, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE