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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JORGE LUIS SOSA,  
Plaintiff,  
v.  
CSATF WARDEN,  
Defendants.

Case No. 1:19-cv-01333-EPG  
FINDINGS AND RECOMMENDATIONS  
RECOMMENDING THAT CERTAIN CLAIMS  
AND DEFENDANTS BE DISMISSED  
(ECF NOS. 1 & 9.)  
OBJECTIONS, IF ANY, DUE WITHIN  
FOURTEEN DAYS  
ORDER DIRECTING CLERK TO ASSIGN TO  
DISTRICT JUDGE

Jorge Luis Sosa (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

Plaintiff filed the complaint commencing this action on September 10, 2019, (ECF No. 1.) The Court screened Plaintiff’s complaint. (ECF No. 9.) The Court found that only the following claims should proceed past the screening stage: “claims against Defendant Correctional Officer Housse and Does 1-3 for violation of the Eighth Amendment for excessive force and sexual assault, as well as retaliation in violation of the First Amendment.” (*Id.* at 2.)

The Court allowed Plaintiff to choose between proceeding only on the claims found cognizable by the Court in the screening order, amending the complaint, or standing on the

1 complaint subject to the Court issuing findings and recommendations to a district judge consistent  
2 with the screening order. (*Id.*) On December 4, 2019, Plaintiff notified the Court that he wants to  
3 proceed only on the claims found cognizable by the screening order. (ECF No. 10.)

4 Accordingly, for the reasons set forth in the Court's screening order that was entered on  
5 November 12, 2019 (ECF No. 12.), and because Plaintiff has notified the Court that he wants to  
6 proceed only on the claims found cognizable in the screening order (ECF No. 10.), it is HEREBY  
7 RECOMMENDED that all claims and defendants be dismissed, except for Plaintiff's claims for  
8 violation of the Eighth Amendment for excessive force and sexual assault and First Amendment  
9 retaliation against Defendant Correctional Officer Housse and Does 1-3.

10 These findings and recommendations are submitted to the United States district judge  
11 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fourteen  
12 (14) days after being served with these findings and recommendations, Plaintiff may file written  
13 objections with the Court. The document should be captioned "Objections to Magistrate judge's  
14 Findings and Recommendations." Plaintiff is advised that failure to file objections within the  
15 specified time may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834,  
16 838-39 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)).

17 IT IS SO ORDERED.  
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19 Dated: December 5, 2019

20 /s/ Eric P. Gray  
21 UNITED STATES MAGISTRATE JUDGE  
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