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

GEORGE E. JACOBS, IV,  
Plaintiff,  
vs.  
WOODFORD, et al.,  
Defendants.

Case No.: 1:08-cv-00369 AWI JLT (PC)  
ORDER DISMISSING PLAINTIFF’S  
CLAIM TO THE RIGHT OF PERSONAL  
SAFETY, AND DEFENDANTS R. DAVIS  
AND WARDEN OF CORCORAN

\_\_\_\_\_ /

George E. Jacobs, IV (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff consented to Magistrate Judge jurisdiction on March 26, 2008 (Doc. 5). Plaintiff filed his Amended Complaint in this action on February 16, 2010 (Doc. 7). The Court screened Plaintiff’s Amended Complaint pursuant to 28 U.S.C. § 1915A, and found that it states cognizable claims against certain defendants. The Court noted that Plaintiff failed to state claims against other defendants. Therefore, the Court ordered Plaintiff either to file an amended complaint or to notify the Court that he wished to proceed only on the claims found to be cognizable (Doc. 11). See Noll v. Carlson, 809 F.2d 1446, 1448 (9th Cir. 1987) (prisoner must be given notice of deficiencies and opportunity to amend prior to dismissing for failure to state a claim). On October 27, 2010, Plaintiff notified the Court that he does not wish to amend his complaint and is willing to proceed only on the cognizable claims within his Amended Complaint.

In accord with the Notice filed by Plaintiff, the Court HEREBY ORDERS:

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1. Plaintiff's claim for a violation to his right to personal safety is **DISMISSED**; and
2. Defendants R. Davis and the Warden of Corcoran State Prison are **DISMISSED**.

IT IS SO ORDERED.

Dated: November 6, 2010

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE