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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ARTHUR PETROSYAN,

Plaintiff,

v.

A. HEDGPETH, et al.,

Defendants.

CASE NO. 1:09-cv-00593-AWI-GBC PC

ORDER DISMISSING CERTAIN CLAIMS
AND DEFENDANTS, AND REFERRING
MATTER BACK TO MAGISTRATE JUDGE
TO INITIATE SERVICE OF PROCESS

(Docs. 10, 14, 15)

THIRTY-DAY DEADLINE

I. Procedural Background

Plaintiff Arthur Petrosyan (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. An [amended complaint](#) was filed on June 15, 2009. (Doc. 10.) On October 22, 2010, the Magistrate Judge screened Plaintiff’s complaint, and found that it states a claim against Defendants Youssef, Ali, S. Zamora, and N. Grannis for deliberate indifference to medical needs in violation of the Eighth Amendment, but does not state any other claims for relief under section 1983. 28 U.S.C. § 1915A. Plaintiff was [ordered to either file an amended complaint](#) or notify the Court of his willingness to proceed only on the claim found to be cognizable. (Doc. 14.) On November 1, 2010, Plaintiff filed a [notice](#) stating that he does not wish to amend and is willing to proceed only on his cognizable deliberate indifference medical claim.

Accordingly, based on Plaintiff’s notice, it is HEREBY ORDERED that:

1. This action shall proceed against Defendants Youssef, Ali, S. Zamora, and N.

1 Grannis for deliberate indifference to medical needs in violation of the Eighth
2 Amendment;

3 2. Plaintiff's deliberate indifference claims against Defendants Kern Valley State Prison
4 and Sherry Lopez are dismissed for failure to state a claim;

5 3. Defendants Kern Valley State Prison and Sherry Lopez are dismissed from this action
6 based on Plaintiff's failure to state any claims against them; and

7 4. This matter is referred back to the Magistrate Judge to initiate service of process
8 proceedings.

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10 IT IS SO ORDERED.

11 Dated: November 13, 2010

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14 CHIEF UNITED STATES DISTRICT JUDGE
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