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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

HENRY M. MITCHELL,	)	1:12cv00469 DLB PC
	)	
Plaintiff,	)	ORDER DISMISSING CERTAIN
	)	CLAIMS AND DEFENDANTS
vs.	)	
	)	
CONNIE GIPSON, et al.,	)	
	)	
Defendants.	)	

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Plaintiff Henry M. Mitchell (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 28 U.S.C. § 1983. He paid the filing fee and is therefore not proceeding in forma pauperis. Plaintiff filed his complaint on March 12, 2012.<sup>1</sup>

On February 27, 2013, the Court screened Plaintiff’s complaint and found that Plaintiff stated a cognizable claim for violation of the First Amendment against Defendants Bolen and Seifert. The Court ordered him to either notify the Court that he is willing to proceed on the cognizable claim, or file an amended complaint.

On March 29, 2013, Plaintiff filed a notice in which he indicated that he agreed to proceed on the cognizable claim against Defendants Bolen and Seifert. Plaintiff further agreed that all other claims and Defendants should be dismissed.

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<sup>1</sup> Plaintiff consented to the jurisdiction of the United States Magistrate Judge on April 30, 2012.

1 Accordingly, this action SHALL proceed on Plaintiff's complaint, filed on March 12,  
2 2012, against Defendant Bolen and Seifert for violation of the First Amendment.

3 Plaintiff's First Amendment access to courts claim and due process claim are  
4 DISMISSED. Defendants Gipson, Leon, Gutierrez, Juarez, Johnson, Allen, Foston, Cate and the  
5 United States Postal Service are TERMINATED from this action.  
6

7 IT IS SO ORDERED.

8 Dated: April 2, 2013

9 /s/ Dennis L. Beck  
10 UNITED STATES MAGISTRATE JUDGE