## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

BRIAN KEITH STAFFORD,	) Case No.: 1:12cv01675 DLB (PC)
Plaintiff, v.	) ) ) ORDER DISMISSING CERTAIN ) CLAIMS AND DEFENDANTS
P. J. BRAZELTON, et al.,	)
Defendants.	) ) )

Plaintiff Brian Keith Stafford ("Plaintiff"), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on June 28, 2012. Plaintiff filed a Second Amended Complaint on December 21, 2012.

On June 24, 2013, the Court screened the Second Amended Complaint and found that it stated the following cognizable claims: (1) excessive force in violation of the Eighth Amendment against Defendant Tucker; and (2) violation of procedural due process against Defendant Dotson. The Court required Plaintiff to either file an amended complaint or notify the Court of his willingness to proceed on the cognizable claims.

On July 8, 2013, Plaintiff notified the Court of his willingness to proceed only on these claims. Plaintiff will be instructed on service by separate order.

<sup>&</sup>lt;sup>1</sup> On October 31, 2012, Plaintiff consented to the jurisdiction of the United States Magistrate Judge.

Accordingly, IT IS HEREBY ORDERED: This action will PROCEED on the following claims: (1) excessive force in violation of 1. the Eighth Amendment against Defendant Tucker; and (2) violation of procedural due process against Defendant Dotson; 2. All further claims are DISMISSED; and 3. Defendants Brazelton, Shannon, Lara, Patterson, Olaes, Lantz, Santoya and Avila are DISMISSED from this action. IT IS SO ORDERED. 1s/ Dennis L. Beck Dated: **July 9, 2013** UNITED STATES MAGISTRATE JUDGE