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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALBERTO VILLESAS,) Case No.: 1:12-cv-02068-LJO-SAB (PC)
)
 Plaintiff,)
) ORDER DISMISSING CERTAIN CLAIMS AND
) DEFENDANTS, AND REFERRING MATTER
 v.) BACK TO MAGISTRATE JUDGE FOR
) INITIATION OF SERVICE OF PROCESS
 M.T. DOTSON, et al.,)
) [ECF Nos. 10, 13]
 Defendants.)
)
)

Plaintiff Alberto Villescas is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Plaintiff initiated this action on December 21, 2012. On December 16, 2013, the Court screened the complaint pursuant to 28 U.S.C. § 1915A, and found that Plaintiff stated a cognizable claim against Defendant D. Fisher for deliberate indifference to a serious risk of harm, against Defendants C. Hernandez, M.T. Dotson, J. Madrigal and W. Tucker for retaliation, and against Defendant W. Tucker for excessive force in violation of the Eighth Amendment. The Court granted Plaintiff the opportunity to file an amended complaint or notify the Court of his intent to proceed on the claims found to be cognizable. On January 15, 2014, Plaintiff notified the Court of his intent to proceed on the claims found to be cognizable. Therefore, the Court will recommend dismissal of the other claims and defendants that were found not cognizable.

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

1. This action shall proceed against Defendant D. Fisher for deliberate indifference to a serious risk of harm, against Defendants C. Hernandez, M.T. Dotson, J. Madrigal, and W. Tucker for retaliation, and against Defendants W. Tucker for excessive force in violation of the Eighth Amendment.
2. Plaintiff's claim arising under the Americans with Disabilities Act is dismissed is dismissed for failure to state a claim;
3. Does 1 through 50 are dismissed for failure to state any claims against them; and
4. The matter is referred back to the Magistrate Judge to initiate service of process.

IT IS SO ORDERED.

Dated: January 17, 2014

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE