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## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

| CARL ETHRIDGE,                                | Case No.: 1:12-cv-02088-AWI-SAB (PC)                                                                         |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Plaintiff, v.  JOHN DOE, et al.,  Defendants. | FINDINGS AND RECOMMENDATION<br>RECOMMENDING DISMISSAL OF<br>UNIDENTIFIED "DOE" DEFENDANTS  [ECF Nos. 13, 16] |

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

On December 16, 2013, the Court screening Plaintiff's original complaint filed on December 28, 2012, and found that Plaintiff stated a cognizable retaliation claim against Defendants F.A. Rodriguez, Reyna, C. Rasey, and V. Lawrence. However, Plaintiff did not state a cognizable retaliation claim against any of the additional unidentified Doe defendants and Plaintiff was granted the option of either filing an amended complaint or notifying the Court of his intent to proceed against the above-named defendants only.

On March 12, 2014, Plaintiff notified the Court of his intent to proceed on the retaliation against Defendants Rodriguez, Reyna, Rasey, and Lawrence only. (ECF No. 16.) Accordingly, as advised in the Court's December 16, 2013, screening order, Plaintiff fails to state a claim against the any of the unidentified "Doe" defendants and they must be dismissed from the action.

Based on the foregoing,

IT IS HEREBY RECOMMENDED that all unidentified "Doe" defendants be dismissed from the action for failure to state a cognizable claim for relief.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(l). Within **fifteen** (15) days after being served with these Findings and Recommendations, Plaintiff may file written objections with the Court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

IT IS SO ORDERED.

Dated: March 13, 2014

UNITED STATES MAGISTRATE JUDGE

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