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

COLUMBUS ALLEN, JR. ) Case No.: 1:13-cv-00012-AWI-SAB (PC)  
 )  
Plaintiff, )  
 )  
v. ) ORDER DISMISSING CERTAIN CLAIMS AND  
 ) PARTIES FROM ACTION FOR FAILURE TO  
STANISLAUS COUNTY, et al., ) STATE A COGNIZABLE CLAIM AND  
 ) REFERRING MATTER BACK TO MAGISTRATE  
Defendants. ) JUDGE FOR FURTHER PROCEEDINGS  
 )  
 ) [ECF No. 1, 7, 10]  
 )  
 )

Plaintiff Columbus Allen, Jr. is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On January 8, 2014, the Magistrate Judge screened Plaintiff’s complaint and determined that it stated cognizable claims for relief against Defendants County of Stanislaus, Puthuff, Christianson, Captain Duncan, and Lieutenant Lloyd for denial of outdoor exercise, against Defendants Lieutenant Suarez, Sergeant Galles, Sergeant Truffa, Mauldin, Meyers, and Williams for a due process violation for denial of access to telephone privileges, against Defendants Sergeant Radza, Williams, Aziz, Maze, and Cardoza for failure to protect, and against Defendants Lieutenant Clifton, Sergeant Radza, and Cardoza for retaliation. 28 U.S.C. § 1915A. The Magistrate Judge found that Plaintiff’s complaint did not state any other claims for relief against any other parties. Plaintiff was ordered to either file an amended complaint or notify the Court of his willingness to proceed against on the claims found to be cognizable.

1           On February 27, 2014, Plaintiff filed a notice stating that he does not wish to file an amended  
2 complaint and he agrees to proceed only on the claims found to be cognizable.

3           Accordingly, based on Plaintiff's notice, the Court HEREBY ORDERS as follows:

4           1.       This action shall proceed against Defendants County of Stanislaus, Puthuff,  
5 Christianson, Captain Duncan, and Lieutenant Lloyd for denial of outdoor exercise, against  
6 Defendants Lieutenant Suarez, Sergeant Galles, Sergeant Truffa, Mauldin, Meyers, and Williams for  
7 a due process violation for denial of access to telephone privileges, against Defendants Sergeant  
8 Radza, Williams, Aziz, Maze, and Cardoza for failure to protect, and against Defendants Lieutenant  
9 Clifton, Sergeant Radza, and Cardoza for retaliation;

10          2.       All other claims and defendants are dismissed from this action for failure to state a  
11 claim; and

12          3.       This action is referred back to the Magistrate Judge to initiate service of process.

13  
14 IT IS SO ORDERED.

15 Dated: April 29, 2014

  
\_\_\_\_\_  
SENIOR DISTRICT JUDGE