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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA
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11 TIMOTHY JOHNSON,) 1:13-cv-00042 DLB PC
12 Plaintiff,)
13 vs.) **ORDER FINDING CERTAIN CLAIMS**
14 C/O SHAW, et al.,) **COGNIZABLE AND DISMISSING**
15 Defendants.) **CERTAIN CLAIMS AND DEFENDANTS**
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17 Plaintiff Timothy Johnson (“Plaintiff”) is a state prisoner proceeding pro se and in forma
18 pauperis in this civil rights action. Plaintiff filed this action on January 3, 2013.¹

19 On October 20, 2014, the Court screened Plaintiff’s First Amended Complaint (“FAC”)
20 and found that it stated a First Amendment retaliation claim against Defendant Remotigoe. The
21 Court ordered Plaintiff to file an amended complaint or notify the Court of his willingness to
22 proceed only on this claim.

23 On November 17, 2014, Plaintiff notified the Court that he wanted to proceed only on the
24 cognizable claim against Defendant Remotigoe. Accordingly, the Court issues this Order to
25 dismiss the remaining claims and Defendants.
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28 ¹ Plaintiff consented to the jurisdiction of the Magistrate Judge on January 22, 2013.

1 **ORDER**

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. This action proceed on the First Amendment claim against Defendant Remotigoe; and

4 2. The remaining claims, as well as Defendants Shaw and Tally, are DISMISSED from
5 this action.

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7 IT IS SO ORDERED.

8 Dated: **December 2, 2014**

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