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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM THOMAS COATS,
Plaintiff,
v.
MUHAMMAD CHAUDHRI, et al,
Defendants.

Case No. 1:13-cv-02032-AWI-BAM (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS
(ECF No. 59)

Plaintiff William Thomas Coats (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Defendant Chaudhri has appeared in this action, while Defendant Sao has not. The Doe defendants, now identified as Defendants Convalecer, Fairchild, Gladden, Gundran, and Nguyen, have not yet been served.

On October 9, 2014, the assigned magistrate judge screened plaintiff’s complaint and found that he stated a cognizable claim against Defendant Chaudhri and John Doe emergency medical staff at the prison for deliberate indifference to serious medical needs in violation of the Eighth Amendment. (ECF No. 8.) After Plaintiff notified the Court that he wished to proceed only on the claims found cognizable, the Court dismissed all other claims and defendants from this action. (ECF Nos. 9, 10.) On September 22, 2017, the undersigned granted Defendant Chaudhri’s motion for summary judgment and entered judgment in favor of Defendant Chaudhri and against Plaintiff. (ECF No. 51.) This case now proceeds on Plaintiff’s deliberate

1 indifference to serious medical needs claims against Defendants John Doe emergency medical
2 staff, now identified as Defendants Convalecer, Fairchild, Gladden, Gundran, and Nguyen.

3 On December 18, 2017, the assigned magistrate judge re-screened plaintiff's complaint,
4 recognizing that a recent Ninth Circuit opinion, *Williams v. King*, 875 F.3d 500 (9th Cir. 2017),
5 had held that a magistrate judge does not have jurisdiction to dismiss claims with prejudice in
6 screening prisoner complaints even if a plaintiff has consented to magistrate judge jurisdiction, as
7 Plaintiff did here. (ECF No. 59.) Concurrently, the magistrate judge issued findings and
8 recommendations recommending that the undersigned dismiss the non-cognizable claims. (*Id.*)
9 The parties were given fourteen days to file objections to those findings and recommendations.
10 The parties did not file any objections, and the time in which to do so has expired.

11 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the
12 undersigned has conducted a *de novo* review of the case. The undersigned concludes the findings
13 and recommendations are supported by the record and by proper analysis.

14 Accordingly IT IS HEREBY ORDERED as follows:

- 15 1. The findings and recommendations issued on December 18, 2017, (ECF No. 59), are
16 adopted in full;
- 17 2. Plaintiff's claims against Defendant Sao are dismissed for the failure to state a claim upon
18 which relief may be granted; and
- 19 3. This action proceeds solely on Plaintiff's claims for deliberate indifference to serious
20 medical needs against Defendants Convalecer, Fairchild, Gladden, Gundran, and Nguyen,
21 as alleged in the complaint, those claims having been found to be cognizable in the
22 magistrate judge's prior screening orders, (ECF Nos. 8, 59).

23 IT IS SO ORDERED.

24 Dated: February 2, 2018

25 
26 SENIOR DISTRICT JUDGE