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

GORDON D. MEADOR,  
  
Plaintiff,  
  
v.  
  
DR. K. AYE, et al.,  
  
Defendants.

Case No. 1:14-cv-0006 DLB PC  
  
ORDER FINDING CERTAIN CLAIMS  
COGNIZABLE AND DISMISSING CERTAIN  
CLAIMS AND DEFENDANTS

Plaintiff Gordon D. Meador (“Plaintiff”) is a state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983.

Plaintiff filed this action on January 2, 2014. On January 16, 2015, the Court screened the Complaint and determined that it failed to state a cognizable claim for relief. Plaintiff was granted leave to file an amended complaint. On February 11, 2015, counsel was appointed for Plaintiff for the limited purpose of drafting and filing a First Amended Complaint. On September 22, 2015, Plaintiff filed a First Amended Complaint. Plaintiff named as Defendants: Kihn Aye, M.D.; Jong Moon, M.D.; Huu Nguyen, M.D.; Edgar Clark, M.D.; Julian Kim, M.D.; Richard Smith, M.D.; Jeffrey Wang, M.D.; Ravijot Gill, D.O.; Garza, L.V.N.; Sellars, L.V.N., and Does 1-50. Counsel’s representation was thereafter discontinued and Plaintiff is now proceeding pro se.

On December 9, 2015, the Court screened the First Amended Complaint. The Court

1 determined that Plaintiff stated a cognizable claim of a violation of his Eighth Amendment right to  
2 medical care by Defendants Garza, Sellars, Aye, Moon, Nguyen, Clark, Kim, Smith, and Gill.  
3 Plaintiff was directed to notify the Court whether he wished to proceed only on the claim deemed  
4 cognizable by the Court, or if he wished to file a Second Amended Complaint. On December 17,  
5 2015, Plaintiff responded to the Court's order. Plaintiff elects to waive the opportunity to file an  
6 amended complaint and agrees to proceed on the claims deemed cognizable by the Court.

7 Accordingly, the Court issues this Order to dismiss the remaining claims and Defendants.

8 **ORDER**

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. This action shall proceed on the following claim: Violation of his Eighth Amendment right  
11 to medical care by Defendants Garza, Sellars, Aye, Moon, Nguyen, Clark, Kim, Smith, and Gill; and  
12 2. All other claims, as well as Defendant Wang, are DISMISSED from this action.

13  
14 IT IS SO ORDERED.

15 Dated: December 22, 2015

/s/ Dennis L. Beck  
16 UNITED STATES MAGISTRATE JUDGE