

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

REGINALD RAY YORK,  
Plaintiff,  
v.  
JEFFREY BEARD, et al.,  
Defendants.

---

Case No. 1:14-cv-01234-LJO-SKO (PC)  
ORDER SUBSTITUTING C. PFEIFFER FOR  
D. DAVEY AND S. RIMBACH FOR T. S.  
ARLITZ  
(Docs. 12 and 18)

Pursuant to the order filed on July 27, 2015, this action is proceeding against Defendants M. D. Biter, D. Davey, and T. S. Artlitz in their official capacities for violating Plaintiff's rights under 42 U.S.C. § 12132 (Title II of the Americans with Disabilities Act). On September 28, 2015, Plaintiff filed a motion in which he stated that C. Pfeiffer has replaced D. Davey as Chief Deputy Warden and S. Rimbach has replaced T. S. Artlitz as Associate Warden. Official capacity claims cannot be brought against former state officials. *Rounds v. Oregon State Bd. of Higher Educ.*, 166 F.3d 1032, 1036 n.2 (9th Cir. 1999). Therefore, C. Pfeiffer is ORDERED SUBSTITUTED for D. Davey and S. Rimbach is ORDERED SUBSTITUTED for T. S. Artlitz.

IT IS SO ORDERED.

Dated: October 2, 2015

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE