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

MICHAEL BIRD,)	Case No.: 1:15-cv-00298-LJO-SAB (PC)
)	
Plaintiff,)	ORDER DISMISSING NON-COGNIZABLE
)	CLAIMS AND DEFENDANTS FROM ACTION,
v.)	AND DIRECTING DEFENDANT MAYHEW TO
)	FILE RESPONSE TO COMPLAINT WITHIN
DONALD MAYHEW,)	THIRTY DAYS
)	
Defendant.)	[ECF Nos. 1, 20, 21]
)	
)	

Plaintiff Michael Bird is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action was removed from the Madera County Superior Court to this Court on February 25, 2015.

On June 8, 2015, the Court screening Plaintiff’s complaint and required Plaintiff to either file an amended complaint or notify the Court of his intent to proceed against Defendant Mayhew on his claims of excessive force and state law negligence. (ECF No. 20.) On June 17, 2015, Plaintiff notified the Court of his intent to proceed against Defendant Mayhew only on his claims of excessive force and state law negligence. (ECF No. 21.)

Accordingly, pursuant to 28 U.S.C. § 1915, it is HEREBY ORDERED that:

1. This action shall proceed on Plaintiff’s claims of excessive force and state law negligence against Defendant Mayhew;

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2. All other claims, as well as Defendants Curtice, Roberts, Montoya, and California Department of Corrections and Rehabilitation, are DISMISSED; and
3. Defendant Mayhew is directed to file a response to the complaint within thirty (30) days from the date of service of this order.

IT IS SO ORDERED.

Dated: June 18, 2015

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