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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRIAN CAPUTO,
Plaintiff,
v.
GONZALEZ and BLACK,
Defendants.

Case No. 1:15-cv-01008-LJO-EPG (PC)
ORDER DISMISSING DOE DEFENDANTS AND
REASSIGNING ACTION TO MAGISTRATE
JUDGE

This action was filed on June 29, 2015. This case is proceeding on Plaintiff's claims for violation of his Fourteenth Amendment due process rights against defendant Black and Doe Defendant(s), retaliation in violation of the First Amendment against defendant Gonzalez, and excessive force in violation of the Fourteenth Amendment against defendant Gonzalez. (ECF No. 93). The Telephonic Pretrial Confirmation hearing is currently set for August 1, 2019, and both parties have filed their pretrial statements.

While Plaintiff has identified defendant Black as one of the Doe Defendants, Plaintiff has identified no other Doe Defendants responsible for the alleged Fourteenth Amendment violation, despite being given numerous opportunities to do so. Accordingly, the remaining Doe Defendants will be dismissed pursuant to Federal Rule of Civil Procedure 4(m).

As all other parties have consented to the jurisdiction of a United States magistrate judge

1 (ECF Nos. 5 & 192), the undersigned will assign this action to United States Magistrate Judge
2 Erica P. Grosjean for all purposes within the meaning of 28 U.S.C. § 636(c), to conduct any and
3 all further proceedings in the case, including the trial and entry of final judgment.

4 Accordingly, IT IS ORDERED that:

- 5 1. The remaining Doe Defendants are DISMISSED from this action pursuant to
6 Federal Rule of Civil Procedure 4(m);
- 7 2. This action is assigned to United States Magistrate Judge Erica P. Grosjean for all
8 purposes within the meaning of 28 U.S.C. § 636(c), to conduct any and all further
9 proceedings in the case, including the trial and entry of final judgment;
- 10 3. The Clerk of Court is directed to reassign this action in its entirety to United States
11 Magistrate Erica P. Grosjean; and
- 12 4. The new case number shall be 1:15-cv-01008-EPG.

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14 IT IS SO ORDERED.

15 Dated: July 9, 2019

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