



1 MJC; and (4) a Title VI retaliation claim for injunctive relief and compensatory damages  
2 against YCCD and MJC. The remaining claims were not cognizable as pled. (ECF No.  
3 6.)

4 Plaintiff was ordered to file an amended complaint or notify the Court in writing of  
5 her willingness to proceed only on the cognizable claims. (Id.) Plaintiff responded with a  
6 notice that she is willing to proceed only on the cognizable claims. (ECF No. 8.)

7 Based on the foregoing, it is HEREBY RECOMMENDED that:

- 8 1. This action proceed only on the following claims: (1) a Fourteenth  
9 Amendment Equal Protection claim for compensatory and punitive  
10 damages against Defendants Jordan, Bambrosia, Carol, McCarthy, and  
11 Marks, in their individual capacities, and for injunctive relief in their  
12 official capacities; (2) a First Amendment retaliation claim for  
13 compensatory and punitive damages against Defendant Marks in his  
14 individual capacity; (3) a Title VI intentional discrimination claim for  
15 injunctive relief and compensatory damages against YCCD and MJC;  
16 and (4) a Title VI retaliation claim for injunctive relief and compensatory  
17 damages against YCCD and MJC;
- 18 2. All other claims and defendants be dismissed from this action for failure  
19 to state a claim; and
- 20 3. The matter be referred back to the undersigned for further proceedings  
21 including service of process.

22 These findings and recommendations will be submitted to the United States  
23 District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C.  
24 § 636(b)(1). Within fourteen (14) days after being served with the findings and  
25 recommendations, Plaintiff may file written objections with the Court. The document  
26 should be captioned "Objections to Magistrate Judge's Findings and Recommendations."  
27 Plaintiff is advised that failure to file objections within the specified time may result in the  
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1 waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)  
2 (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

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IT IS SO ORDERED.

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Dated: April 30, 2017

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1st Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE

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