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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARTIN SAIZ,

Plaintiff,

v.

PUTNAM and SCHRIEBER,

Defendants.

Case No. 1:20-cv-01231-EPG (PC)

FINDINGS AND RECOMMENDATIONS,
RECOMMENDING THAT CERTAIN
CLAIMS AND DEFENDANTS BE
DISMISSED

OBJECTIONS, IF ANY, DUE WITHIN
FOURTEEN DAYS

ORDER DIRECTING CLERK TO ASSIGN
DISTRICT JUDGE

Martin Saiz (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Plaintiff filed his complaint on August 31, 2020. (ECF No. 1). The Court screened Plaintiff’s complaint. (ECF No. 6). The Court found that Plaintiff’s complaint “states cognizable claims against Defendants Putnam and Schrieber for (1) violating his due process rights with respect to housing him in administrative segregation and (2) violating his First Amendment rights by retaliating against him for his protected speech.” (*Id.* at 9-10).

The Court allowed Plaintiff to choose between proceeding only on the claims found cognizable by the Court in the screening order or filing an amended the complaint. (*Id.* at 11). On November 10, 2020, Plaintiff notified the Court that he wants to proceed only on the claims found cognizable in the screening order. (ECF No. 7).

Accordingly, for the reasons set forth in the Court’s screening order that was entered on October 26, 2020 (ECF No. 6), and because Plaintiff has notified the Court that he wants to proceed only on the claims found cognizable in the screening order (ECF No. 7), it is HEREBY

1 RECOMMENDED that all claims and defendants be dismissed, except for Plaintiff's claims
2 against Defendants Putnam and Schrieber for (1) violating his due process rights with respect to
3 housing him in administrative segregation and (2) violating his First Amendment rights by
4 retaliating against him for his protected speech

5 These findings and recommendations are submitted to the United States district judge
6 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fourteen
7 (14) days after being served with these findings and recommendations, Plaintiff may file
8 written objections with the Court. The document should be captioned "Objections to
9 Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file
10 objections within the specified time may result in the waiver of rights on appeal. *Wilkerson v.*
11 *Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394
12 (9th Cir. 1991)).

13 Additionally, IT IS ORDERED that the Clerk of Court is directed to assign a district
14 judge to this case.

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16 IT IS SO ORDERED.

17 Dated: November 18, 2020

18 /s/ Eric P. Gray
19 UNITED STATES MAGISTRATE JUDGE
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