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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	KADEEM EDWARDS,	1:23-cv-01180-ADA-SKO (PC)
12	Plaintiff,	FINDINGS AND RECOMMENDATIONS TO
13	v.	DISMISS CERTAIN CLAIMS AND DEFENDANTS
14	CALIFORNIA DEPARTMENT OF CORRECTIONS AND	14-DAY OBJECTION PERIOD
15	REHABILITATION,	
16	Defendant.	
17		
18	Plaintiff is a state prisoner proceeding pro se and in forma pauperis in a civil rights action	
19	pursuant to 42 U.S.C. § 1983.	
20	I. RELEVANT BACKGROUND	
21	On November 6, 2023, the Court issued its First Screening Order. (Doc. 10.) It found	
22	Plaintiff stated a cognizable Eighth Amendment deliberate indifference to serious medical needs	
23	claim against Defendant Jane Doe, L.V.N., but failed to state any other cognizable claim against	
24	any other defendant. (<i>Id.</i> at 4-7.) Plaintiff was directed to do one of the following within 21 days:	
25	(1) notify the Court he did not wish to file a first amended complaint and instead was willing to	
26	proceed only on the Eighth Amendment deliberate indifference to serious medical needs claim	
27	against Defendant Jane Doe, the remaining claims to be dismissed; or (2) file a first amended	

1 complaint curing the deficiencies identified in the Court's order, or (3) file a notice of voluntary 2 dismissal. (*Id.* at 7-9.) 3 On November 27, 2023, Plaintiff filed a notice indicating his wish to proceed only on the 4 claim found cognizable by the Court. (See Doc. 11.) II. 5 **CONCLUSION AND RECOMMENDATIONS** For the reasons given above, the Court **RECOMMENDS** that: 6 7 1. This action **PROCEED** only on Plaintiff's Eighth Amendment deliberate indifference 8 to serious medical needs claim against Defendant Jane Doe L.V.N., the remaining 9 claims to be dismissed; and 10 2. The California Department of Corrections and Rehabilitation and John Does 1 through 11 10 be **DISMISSED** from this action. 12 These Findings and Recommendations will be submitted to the district judge assigned to 13 this case, pursuant to 28 U.S.C. § 636(b)(l). Within 14 days of the date of service of these 14 Findings and Recommendations, a party may file written objections with the Court. The 15 document should be captioned, "Objections to Magistrate Judge's Findings and 16 Recommendations." Failure to file objections within the specified time may result in waiver of 17 rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014) (citing Baxter v. 18 Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)). 19 IT IS SO ORDERED. 20 Isl Sheila K. Oherto Dated: **December 1, 2023** 21 UNITED STATES MAGISTRATE JUDGE 22 23 24 25 26 27 28