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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL H. GOVIND,

Plaintiff,

vs.

VEAL, et al

Defendants

) No. 2:06 CV 02467 Consolidated with  
) 2:08 CV-01183 ODW

ORDER

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On February 20, 2009 Plaintiff filed his First Amended Complaint [24]. In it, he purports to state the following causes of action: (1) denial of adequate medical care, (2) Inadequate living conditions, (3) denial of his right to practice his religion or interference with his practice of his religion, (4) racial and religious discrimination, (5) denial of procedural due process in an administrative hearing following a false write-up, (6) denial of access to the courts, and (7) deprivation and destruction of personal property.al property.

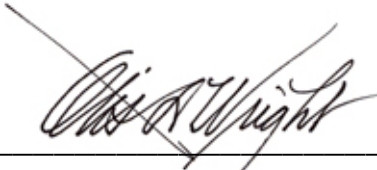
The inartfully drafted pleading is not divided into causes of action nor the

1 identification of which defendant(s) are being called on to answer each  
2 specific cause of action. Consequently no small amount of effort is required  
3 to determine whether, in this case, causes of action have been stated against  
4 Defendant Hunsaker. As far as the court is able to determine Hunsaker's  
5 name is not even mentioned except in relation to his hospital/clinic duties.  
6 Hunsaker is a Medical Technical Assistant at High Desert State Prison.

7 As for the allegations against Hunsaker, they are as follows: "M.T.A. Mr.  
8 Handsuker (sic) will not give the insulin in time nor he would give the  
9 prescribed refill on time. He will make you wait one day." "He held my  
10 asthma pump for 1 day. He told me I am not going to give you your asthma  
11 pump because you jumped the line." No allegations of any kind are  
12 made against Hunsaker other than those cited above, therefore, as to counts  
13 other than the denial of medical care, they are dismissed as to Hunsaker.

14 However, as to the above cited allegations, it appears that a cognizable  
15 claim has been asserted for deliberate indifference to plaintiff's medical needs  
16 under the Eighth Amendment. That claim against Defendant Hunsaker will  
17 remain, but all other claims against this defendant are DISMISSED.

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20 DATED: June 17, 2011

  
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21 OTIS D. WRIGHT, II, DISTRICT JUDGE  
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