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

MIDEL JACKSON,

Plaintiff,

No. CIV S-10-2070 EFB P

vs.

MATTHEW CATES, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a prisoner without counsel suing for alleged civil rights violations. *See* 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff’s consent. *See* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(4).

By order filed October 27, 2010, the court found that plaintiff had stated sufficient charging allegations against defendants Anices, Aquilizan, Cano, Della Cruz, Desimon, Lopez, Palagummi, Petit, Romero, Zachariah, and Zapata and informed plaintiff he could proceed against those defendants only or file an amended complaint that also states a claim against the remaining defendants. The court also informed plaintiff that the court would consider his decision to proceed only as to defendants Anices, Aquilizan, Cano, Della Cruz, Desimon, Lopez, Palagummi, Petit, Romero, Zachariah, and Zapata as consent to the dismissal of the other

1 defendants. On November 12, 2010, plaintiff returned documents for service against defendants
2 Anices, Aquilizan, Cano, Della Cruz, Desimon, Lopez, Palagummi, Petit, Romero, Zachariah,
3 and Zapata, and on November 23, 2010, plaintiff returned a signed form consenting to the
4 dismissal of defendants Cates, Furr, Fredrick, Parerra, Spangler, Colon, and Islas.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff's claims against defendants
6 Cates, Furr, Fredrick, Parerra, Spangler, Colon, and Islas are dismissed without prejudice.

7 Dated: December 14, 2010.

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9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE

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