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

PATRICK L. PERRY,

Plaintiff,

No. 2:10-cv-3223 KJN P

vs.

YUBA COUNTY, et al.,

Defendants.

ORDER

_____ /

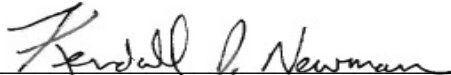
Plaintiff has consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). On August 5, 2011, the court screened plaintiff’s second amended complaint. Plaintiff was granted the option of pursuing his first and third claims for relief, or delaying service of process on claims one and three, and attempting to amend to state a cognizable First Amendment claim. On September 6, 2011, plaintiff filed a notice stating he consents to the dismissal of the remaining claims without prejudice, opting not to pursue his fourth claim for relief (the second claim having previously been dismissed). (Dkt. No. 24.) Accordingly, this action is proceeding on plaintiff’s first claim for relief against defendants Hemp and Chandless, and plaintiff’s third claim for relief against defendants Cornette and Reed (third claim). Thus, defendants Yuba County, Yuba County Jail, Dr. Cassidy and Yuba County Sheriff are dismissed, and this action shall proceed only on plaintiff’s first and third claims, as set forth in this court’s

1 August 5, 2011 order. (Dkt. No. 23.)

2 IT IS HEREBY ORDERED that defendants Yuba County, Yuba County Jail, Dr.
3 Cassidy and Yuba County Sheriff are dismissed without prejudice.

4 DATED: September 12, 2011

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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