

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHANE MYRON REYES,  
Plaintiff,  
v.  
LVN Bello, et al.,  
Defendants

No. 2:15-cv-0140 KJN P

## ORDER

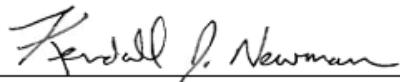
Plaintiff is a state prisoner, proceeding without counsel. Plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). By order filed May 14, 2015, plaintiff's claims against defendants Dailey, Reed, Fredrickson (for June 12 and 16, 2014 incidents), Dr. Ho, Dr. Ross, Mr. Johnson, and Dr. Kitt, were dismissed with leave to amend. Plaintiff was granted the option to consent to dismiss such claims and proceed on the amended complaint or to file a second amended complaint to attempt to state cognizable claims against those defendants. On June 3, 2015, plaintiff filed a notice in which he consented to the dismissal of defendants Dailey, Reed, Fredrickson (for June 12 and 16, 2014 incidents), Dr. Ho, Dr. Ross, Mr. Johnson, and Dr. Kitt, without prejudice. (ECF No. 33.)

In accordance with the above, IT IS HEREBY ORDERED that:

1. Defendants Dailey, Reed, Dr. Ho, Dr. Ross, Mr. Johnson, and Dr. Kitt, are dismissed without prejudice; and

1           2. Plaintiff's claims against defendant Fredrickson, based on the June 12 and 16, 2014  
2 incidents,<sup>1</sup> are dismissed without prejudice.

3 Dated: June 15, 2015

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5 KENDALL J. NEWMAN  
6 UNITED STATES MAGISTRATE JUDGE

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27           28 <sup>1</sup> Plaintiff's claims against defendant Fredrickson based on the June 23, 2014 incident were  
                  found to state a potentially cognizable civil rights claim (ECF No. 32 at 10), and such claims are  
                  not dismissed by this order.