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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK SHANE THOMPSON,
Plaintiff,
v.
J. ROBINETTE, et al.,
Defendants.

No. 2:15-cv-1928 TLN KJN P

FINDINGS AND RECOMMENDATIONS

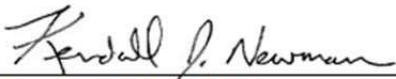
Pursuant to this court’s screening of plaintiff’s original complaint pursuant to 28 U.S.C. § 1915A(a), the court found that the complaint may state cognizable claims against defendants Cohn, Armstead, Young, Lopez, Bates, and Robinette, but did not state a claim against defendant Rosales. (ECF No. 13.) The court gave plaintiff the option of proceeding on his original complaint or filing an amended complaint that added a cognizable claim against defendant Rosales. Plaintiff chose to proceed on his original complaint against defendants Cohn, Armstead, Young, Lopez, Bates, and Robinette, effectively choosing to terminate this action against defendant Rosales.

Accordingly, IT IS HEREBY RECOMMENDED that defendant Rosales be dismissed from this action without prejudice.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days

1 after being served with these findings and recommendations, any party may file written
2 objections with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections
4 shall be filed and served within fourteen days after service of the objections. The parties are
5 advised that failure to file objections within the specified time may waive the right to appeal the
6 District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

7 Dated: July 15, 2016

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9 _____
10 KENDALL J. NEWMAN
11 UNITED STATES MAGISTRATE JUDGE

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