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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH BIVINS,  
Plaintiff,  
v.  
DR. JU, et al.,  
Defendants.

No. 2:16-cv-0389 MCE KJN P

FINDINGS AND RECOMMENDATIONS

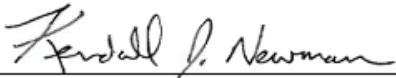
Pursuant to this court’s screening of plaintiff’s original complaint pursuant to 28 U.S.C. § 1915A(a), the court found that the complaint may state cognizable claims against defendant Dr. Ju, but did not state a claim against defendants Sahota and Zamora. (ECF No. 9.) The court gave plaintiff the option of proceeding on his original complaint or filing an amended complaint that stated cognizable claims against defendants Sahota and Zamora. Plaintiff chose to proceed on his original complaint against defendant Dr. Ju, effectively choosing to terminate this action against defendants Sahota and Zamora.

IT IS HEREBY RECOMMENDED that defendants Sahota and Zamora 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 after being served with these findings and recommendations, any party may file written

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

6 Dated: December 9, 2016

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9 KENDALL J. NEWMAN  
10 UNITED STATES MAGISTRATE JUDGE

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