

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICKY PARNELL,
Plaintiff,
v.
BOTKINS, et al.,
Defendants.

No. 2:16-cv-2692 MCE KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. On November 2, 2017, the undersigned recommended that plaintiff’s claims against defendants Dr. Chin and Dr. Win be dismissed from this action without prejudice because plaintiff failed to state a cognizable Eighth Amendment claim against such doctors, and such claims were based on incidents unrelated to the claims against custodial officers Botkins, Jensen, and Muhammad. On November 22, 2017, plaintiff filed a motion for extension of time to file objections. However, on January 2, 2018, plaintiff filed a document styled, “Motion to Sever Defendants and to Dismiss Complaint Without Prejudice.” (ECF No. 25.) Plaintiff stipulates to the undersigned’s “recommendation that all claims against defendants Dr. Chin and Dr. Win be dismissed without prejudice.” (ECF No. 25 at 1.) Plaintiff acknowledges that his claims against the doctors are unrelated to the other claims raised herein, and states he intends to file an amended complaint against the doctors forthwith.

///

