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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIO DINERO SESSOMS,  
  
Plaintiff,  
  
v.  
  
JOHN PATRICK KELLER, et al.,  
  
Defendants.

No. 2:17-cv-0304-EFB P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Plaintiff is a former county jail inmate proceeding without counsel in an action brought under 42 U.S.C. § 1983. By order filed June 15, 2018, the court found that plaintiff had stated a potentially cognizable claim against defendant Keller. ECF No. 16. The court informed plaintiff he could proceed against defendant Keller only or file an amended complaint within 30 days that also states a claim against defendants Winfield, Woods, and the City of Sacramento. *Id.* The time for amending has passed and plaintiff has elected to proceed only with the claim against defendant Keller. *See* ECF No. 17.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall randomly assign a United States Judge to this action.

Further, IT IS HEREBY RECOMMENDED that plaintiff’s claims against defendants Winfield, Woods, and the City of Sacramento be dismissed 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.” Failure to file objections  
4 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*  
5 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: July 19, 2018.

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8 EDMUND F. BRENNAN  
9 UNITED STATES MAGISTRATE JUDGE  
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