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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LISA BELYEW,

Plaintiff,

v.

DUCH, et al.,

Defendants.

No. 2:17-cv-1213-EFB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. By order filed May 10, 2019, the court found that service of the amended complaint is appropriate for defendants Moreland, Callus, Smith, Trott, Webber, Duch, and Jones. ECF No. 14. The court informed plaintiff she could proceed against defendants Moreland, Callus, Smith, Trott, Webber, Duch, and Jones only or file a second amended complaint within 30 days that also states a claim against defendants Soderberg, Ramirez, Dawson, Young, Proctor, and Meyer. *Id.* The time for amending has passed and plaintiff has elected to proceed only with the claim against defendants Moreland, Callus, Smith, Trott, Webber, Duch, and Jones. *See* ECF No. 15.

Accordingly, IT IS ORDERED that the Clerk of the Court randomly assign a United States District Judge to this case.

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1 Further, IT IS RECOMMENDED that plaintiff's claims against defendants Soderberg,
2 Ramirez, Dawson, Young, Proctor, and Meyer be dismissed without prejudice.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
5 after being served with these findings and recommendations, any party may file written
6 objections with the court and serve a copy on all parties. Such a document should be captioned
7 "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections
8 within the specified time may waive the right to appeal the District Court's order. *Turner v.*
9 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: June 11, 2019.

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12 EDMUND F. BRENNAN
13 UNITED STATES MAGISTRATE JUDGE
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