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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HERMAN RENE ONTIVEROS,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION, et al.,

Defendants.

No. 2:17-cv-01740-TLN-CKD P

ORDER

On November 15, 2017, Plaintiff dismissed this action pursuant to Rule 41(a) of the Federal Rules of Civil Procedure. Prior to that, on October 24, 2017, the Court directed the U.S. Marshall to serve the Chief Medical Officer at California State Prison, Sacramento with process with respect to a claim for injunctive relief regarding medical care. It is not clear whether service occurred before dismissal and the Chief Medical Officer has not appeared in this action.

Plaintiff, who is now incarcerated at California State Prison, Los Angeles County (“CSP LA”), now asks that this action be reinstated as he is not satisfied with the treatment he is receiving there. Plaintiff’s motion will be denied as the proper forum for any claim concerning his medical care directed at officials at CSP LA would be the United States District Court for the Central District of California. Furthermore, the Chief Medical Officer at California State Prison, Sacramento would no longer be a proper Defendant. If Plaintiff wishes to challenge the medical

1 care he is receiving at CSP LA, he should initiate a new action in the Central District.

2 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for reinstatement (ECF  
3 No. 31) is DENIED.

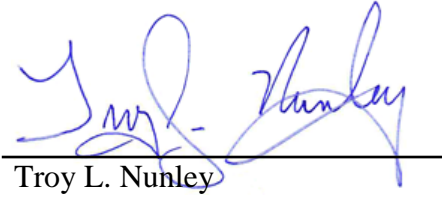
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5 Dated: March 14, 2018

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Troy L. Nunley  
United States District Judge

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