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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH MILLS,

 Plaintiff,

 v.

LOS ANGELES COUNTY SUPERIOR
COURT, et al.,

 Defendants.

No. 2:17-cv-2667 MCE KJN P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action brought pursuant to 42 U.S.C. § 1983. The undersigned has separately issued an order screening the complaint. In this order, the undersigned found that plaintiff’s claim for damages regarding his Los Angeles County conviction was improperly joined with his claim challenging conditions at the California Medical Facility (“CMF”). For the reasons stated in that order, the undersigned herein recommends dismissal of the claim for damages regarding plaintiff’s Los Angeles County conviction.


In the screening order, the undersigned also found that plaintiff’s claims against defendant California Department of Corrections and Rehabilitation (“CDCR”) were barred by the Eleventh Amendment. For the reasons stated in that order, the undersigned herein recommends dismissal of defendant CDCR.

1 Finally, in the screening order, the undersigned found that plaintiff's request for release
2 from prison, based on the alleged invalidity of his Los Angeles County Superior Court
3 conviction, was not properly brought in this civil rights action. For the reasons stated in that
4 order, the undersigned herein recommends dismissal of this claim.

5 Accordingly, IT IS HEREBY RECOMMENDED that plaintiff's claim for damages
6 regarding his Los Angeles County conviction be dismissed; defendant CDCR be dismissed; and
7 plaintiff's request for release from prison based on the alleged invalidity of his Los Angeles
8 County conviction be dismissed.

9 These findings and recommendations are submitted to the United States District Judge
10 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
11 after being served with these findings and recommendations, plaintiff may file written objections
12 with the court and serve a copy on all parties. Such a document should be captioned
13 "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that
14 failure to file objections within the specified time may waive the right to appeal the District
15 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

16 Dated: May 16, 2018

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19 KENDALL J. NEWMAN
20 UNITED STATES MAGISTRATE JUDGE

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