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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RYAN INDIANA CURRY,
Plaintiff,
v.
SESSIONS, et al.,
Defendants.

No. 2:20-cv-227-TLN-EFB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in an action brought under 42 U.S.C. § 1983. On March 26, 2020, the court determined that plaintiff’s complaint had alleged, for screening purposes, viable Eighth Amendment claims against defendants Sanders, Sessions, Pyett, and Williams, but had not alleged any viable claims against any other defendants. ECF No. 7. The court informed plaintiff he could proceed with the viable claims only or file an amended complaint within 30 days. *Id.* Plaintiff has elected to proceed only with the viable claim against defendants Sanders, Sessions, Pyett, and Williams. ECF No. 13.

Accordingly, IT IS RECOMMENDED that plaintiff’s claims against defendants Jones, Pimentel, Scott, Oram, and Pitts 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: April 28, 2020.

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9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
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