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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER ROBERT FLORES,  
Plaintiff,  
v.  
ALAMEDA COUNTY SHERIFF'S  
DEPARTMENT,  
Defendant.

Case No. [15-cv-03515-KAW](#)

**ORDER GRANTING DEFENDANT  
COUNTY OF ALAMEDA'S MOTION  
TO DISMISS WITH PREJUDICE**

Re: Dkt. No. 14

On July 30, 2015, Plaintiff Christopher Robert Flores filed a lawsuit pursuant to 42 U.S.C. § 1983 against Defendant County of Alameda (sued erroneously as the “Alameda County Sheriff’s Department”) and Does 1-10. Therein, Plaintiff alleges that, following his arrest on or about July 6, 2015, he was transported to Santa Rita Jail, where he informed two Sheriff’s Deputies that he had a seizure condition that required twice daily medication, but was told that there was no nurse on duty. (Compl., Dkt. No. 1 ¶¶ 8-11.) Plaintiff claims that, despite making numerous requests, he was not provided anti-seizure medication until he suffered a grand mal seizure while in custody. (Compl. ¶ 12.) Plaintiff’s complaint consists of two causes of action, one of which is against the County and the other against the doe defendants.

On November 3, 2015, Defendant County of Alameda filed a motion to dismiss the first cause of action on the grounds that Plaintiff has failed to allege facts establishing a plausible *Monell* claim against the County of Alameda. (Def.’s Mot., Dkt. No. 14 at 1.)

On November 17, 2015, Plaintiff filed a response in which he conceded that the cause of action against Defendant County of Alameda should be dismissed and the County should no longer be a party to this action. (Pl.’s Resp., Dkt. No. 17 at 1-2.) Plaintiff asked that the Court’s order dismissing the County should reflect that Plaintiff will require the County’s cooperation with

1 discovery. *Id.* at 2. The Federal Rules of Civil Procedure, however, specifically address how to  
2 engage in discovery with non-parties, so the Court is confident that Plaintiff will avail himself of  
3 the methods available. *See* Fed. R. Civ. P. 45. Moreover, to the extent that the County will be  
4 representing the Doe Sheriff’s deputies, the Court has no basis to believe that an order requiring  
5 the County to cooperate in discovery is necessary.

6 Accordingly, the Court deems this matter suitable for disposition without oral argument  
7 pursuant to Civil L.R. 7-1(b), and GRANTS with prejudice Defendant County of Alameda’s  
8 motion to dismiss the first cause of action.

9 IT IS SO ORDERED.

10 Dated: December 9, 2015

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12 KANDIS A. WESTMORE  
13 United States Magistrate Judge  
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