

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Paschall v. Johal

No. 1:24-cv-00154-JLT-SKO (E.D. Cal. June 3, 2025) · No. 1:24-cv-00154 JLT SKO · Decided June 4, 2025

OPINION

(PC) Paschall v. Johal

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 LAMAR PASCHALL, Case No.: 1:24-cv-00154 JLT SKO 12 Plaintiff, ORDER
ADOPTING FINDINGS AND

RECOMMENDATIONS AND DISMISSING

13 v. DEFENDANT ARMANDEEP JOHAL FROM

THIS ACTION

14 AMANDEEP JOHAL, et al., (Doc. 16) 15 Defendants. 16 17 Lamar Paschall seeks to hold the
defendants liable for violations of his constitutional 18 rights while housed at Sierra Conservation
Center. (See Doc. 12.) The assigned magistrate judge 19 screened Plaintiff’s amended complaint
pursuant to 28 U.S.C. § 1915A(a) and found Plaintiff 20 stated a cognizable claim for Eighth
Amendment deliberate indifference to serious medical needs 21 against Defendants Fu, Smith,
Sinclair, Jane Doe, and John Doe. (Doc. 13 at 4-10.) However, 22 the magistrate judge determined
that Plaintiff failed to state a cognizable claim against Defendant 23 Johal, the Chief Medical
Officer at the institution. (Id. at 10.) In response to the Screening 24 Order, Plaintiff indicated his
willingness to proceed only on the cognizable claims. (Doc. 14.) 25 Following receipt of the
notice from Plaintiff, the magistrate judge reiterated the findings 26 made in the Screening Order
and recommended the action proceed only on the cognizable claims. 27 (Doc. 16.) In addition, the
magistrate judge recommended the Court dismiss Defendant Johal as a defendant and dismiss the
remaining claims in the complaint. (Id. at 2.) 1 The Court served the Findings and
Recommendations on Plaintiff and notified him that 2 | any objections were due within 14 days.
(Doc. 16 at 2.) The Court advised him that the “failure 3 | to file any objections within the
specified time may result in the waiver of certain rights on 4 | appeal.” (/d. at 2-3, citing Wilkerson
v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff 5 | did not file objections, and the time
to do so has passed. 6 According to 28 U.S.C. § 636(b)(1), this Court conducted a de novo review
of this case. 7 | Having carefully reviewed the matter, the Court concludes the Findings and
Recommendations to 8 || be supported by the record and proper analysis. Accordingly, the Court

ORDERS: 9 1. The Findings and Recommendations issued on May 13, 2025 (Doc. 16) are 10
ADOPTED in full. 11 2. This action PROCEEDS on Plaintiff's Eighth Amendment deliberate
indifference to 12 serious medical needs claims against Defendants Fu, Smith, Sinclair, Jane Doe,
and 13 John Doe. 14 3. Defendant Amandeep Johal is DISMISSED from this action. 15 4. Any
remaining claims in Plaintiff's complaint are DISMISSED. 16 5. The Clerk of Court is directed to
update the docket. 17 18 IT IS SO ORDERED. 19 | Dated: _June 3, 2025 Charis [Tourn
TED STATES DISTRICT JUDGE
20 21 22 23 24 25 26 27 28