

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

Tremaine Carroll v. State of California, et al.

Carroll · No. 1:23-cv-00974 JLT HBK (PC) · Decided October 27, 2025

SUMMARY

The United States District Court for the Eastern District of California directs the Clerk to correct the docket caption by terminating defendants omitted from the First Amended Complaint. The Court also orders screening of the operative complaint under 28 U.S.C. § 1915A and directs the Clerk to provide the pro se plaintiff with a courtesy copy of the docket sheet.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 TREMAINE CARROLL, Case No. 1:23-cv-00974 JLT HBK (PC) 12
Plaintiff, ORDER DIRECTING CLERK TO CORRECT CAPTION AND PROVIDE COPY OF
13 v. DOCKET SHEET TO PRO SE PLAINTIFF 14 STATE OF CALIFORNIA, et al., 15
Defendant. 16 17 Plaintiff Tremaine Carroll, a state prisoner proceeding in forma pauperis, along
with other 18 prisoner-plaintiffs, initiated this civil rights action seeking relief under 42 U.S.C. §
1983 while 19 represented by counsel.

(Doc. No. 2). Plaintiff proceeds on her First Amended Complaint. (Doc. 20 No. 19).¹ On October
27, 2025, the Court clarified that Plaintiff had dismissed her previous 21 counsel of record and
granted counsel's motion to withdraw. (Doc. No. 49).

Thus, Plaintiff now 22 proceeds on her First Amended Complaint pro se. (Id.). 23 The Court's
review of the docket reveals that although summons issued, service of the 24 operative complaint
has not been effectuated upon any of the defendants as of the date of this 25 Order. (See docket;
see also Response of Office of Attorney General to Order to Inform Court 26 Regarding
Representation in this Matter, Doc.

No. 27). Because Plaintiff proceeds pro se and in 27 1 After reviewing the Complaint, the Court
determined that each Plaintiff should proceed 28 separately on their own claims and severed the
action. (Doc. No. 1). 1 | forma pauperis, the Court will screen the operative complaint pursuant to
28 U.S.C. § 1915A 2 | before directing service on any defendant. 3 Further, a preliminary review
of the operative complaint reflects that certain defendants 4 | appear on the docket who are not
named in the First Amended Complaint.

Specifically, 5 | defendants White, Turnin, Dodson, Sousa, and Gensel remain listed on the docket, but are not 6 | identified as defendant in the First Amended Complaint. (See Doc. No. 10). Thus, these 7 | defendants are considered dismissed from this action and should be terminated from the docket 8 || by the clerk. See *Hal Roach Studios, Inc. v. Richard Feiner and Co., Inc.*, 896 F.2d 1542, 1546 9 | (9th Cir.

1989) (party omitted from amended complaint is not a party to the action and the court 10 } lacks jurisdiction over that party); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992) 11 | (amended complaint supersedes original complaint, thus omission of defendants from amended 12 | complaint render them non-patties). 13 Accordingly, it is ORDERED: 14 1.

The Court will screeed the First Amended Complaint (Doc. No. 10) pursuant to 28 15 U.S.C. § 1915A by separate order before directing service on any named defendant. 16 2. The Clerk shall correct the docket to reflect the termination of the following 17 defendants: White, Turnin, Dodson, Sousa, and Gensel. 18 3.

The Clerk shall provide pro se Plaintiff with a one-time courtesy copy of the docket 19 sheet in this action with this Order. 20 *I | Dated: _ October 27. 2025 Wiha. ☐☐ fares Back 22 HELENA M. BARCH-KUCHTA 33 UNITED STATES MAGISTRATE JUDGE 24 25 26 27 28