

**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

OPINION

Tremaine Carroll v. State of California, et al.

PER CURIAM.

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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
screed 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