

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

Renee Fellows v. Weaks, et al.

Fellows · No. 2:25-cv-00439-DAD-AC · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of California granted defendants’ unopposed motion to sever Renee Fellows’ Fourteenth Amendment excessive-use-of-force claim under 42 U.S.C. § 1983. The court directed the Clerk to open a new civil case for that claim, waived the new filing fee, terminated the specified defendants from the present action, and reset the initial scheduling conference.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 RENEE FELLOWS, No. 2:25-cv-00439-DAD-AC 12 Plaintiff, 13 v.
ORDER GRANTING DEFENDANTS’ MOTION TO SEVER 14 WEAKS, et al., (Doc. No. 12)
15 Defendant. 16 17 On June 5, 2025, defendants filed a motion to sever. (Doc. No. 12.)

On June 19, 2025, 18 plaintiff filed a statement of non-opposition to the motion. (Doc. No. 13.) In
light of plaintiff’s 19 statement of non-opposition, the court will grant defendants’ motion. See
San Francisco Tech., 20 Inc. v. Aero Prods. Int’l, Inc., No. 5:10-cv-02994-JF-PSG, 2011 WL
1044856, at *5 (N.D. Cal. 21 Mar. 22, 2011) (“SF Tech has filed a statement of non-opposition to
all motions for severance and 22 transfer.

Accordingly, the motions will be granted.”); Faria v. Dollar Tree Stores, Inc., No. 17- 23 cv-
07544-JAK-JEM, 2018 WL 6262880, at *3 (C.D. Cal. Feb. 15, 2018) (“Notwithstanding these 24
limitations, in light of Plaintiffs’ non-opposition to the Motion, the request to sever is 25
GRANTED.”). 26 Accordingly, 27 1. Defendants’ motion to sever (Doc. No. 12) is GRANTED;
28 //// 1 2.

Plaintiffs first claim for excessive use of force in violation of her Fourteenth 2 Amendment rights
and 42 U.S.C § 1983 brought against defendants Weaks, 3 Rowmano, Guerrero, and Does 1—25
is SEVERED from this action; 4 3, Defendants Weaks, Rowmano, Guerrero, and Does 1—25 are
DISMISSED from 5 this action; 6 4.

The Clerk of the Court is DIRECTED to assign a new case number to the 7 Fourteenth
Amendment excessive use of force claim brought against defendants 8 Weaks, Rowmano,
Guerrero, and Does 1-25, and in particular: 9 a. The filings from this case (No. 2:25-cv-00439-

DAD-AC) shall be included on 10 the docket in the newly opened civil case; 11 b. The filing fee for the new civil case is waived in accordance with Rule 21 of 12 the Federal Rules of Civil Procedure; 13 5.

The Clerk of the Court is directed to update the docket to reflect that defendants 14 Weeks, Rowmano, and Guerrero have been TERMINATED as named defendants in 15 this action; and 16 6. The Initial Scheduling Conference is hereby RESET to February 9, 2026 at 1:30 p.m. 17 before District Judge Dale A. Drozd by Zoom.

The parties shall file a joint scheduling 18 report by no later than January 26, 2026. 19 IT IS SO ORDERED. "0 Dated: _ December 18, 2025 Dak A. 2, Arye 21 DALE A. DROZD 0 UNITED STATES DISTRICT JUDGE 23 24 25 26 27 28