

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

Anthony J. Davis v. Tuolumne County, et al.

No. 1:25-cv-00925-SAB (PC) (E.D. Cal. Sept. 23, 2025) · No. 1:25-cv-00925-SAB (PC) · Decided September
23, 2025

OPINION

Anthony J. Davis v. Tuolumne County, et al.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 ANTHONY J. DAVIS, No. 1:25-cv-00925-SAB (PC)

12 Plaintiff, ORDER DIRECTING CLERK OF COURT TO

RANDOMLY ASSIGN A DISTRICT JUDGE

13 v. TO THIS ACTION

14 TUOLUMNE COUNTY, et al., FINDINGS AND RECOMMENDATIONS

RECOMMENDING DISMISSAL OF

15 Defendants. CERTAIN CLAIMS 16 (ECF Nos. 7, 9) 17 18 Plaintiff is proceeding pro se and in
forma pauperis in this action filed pursuant to 42 19 U.S.C. § 1983. 20 On September 5, 2025, the
Court screened Plaintiff's first amended complaint, and found 21 that Plaintiff stated a cognizable
retaliation claim against Defendant Hurtado, but failed to state 22 any other cognizable claims.
(ECF No. 7.) The Court granted Plaintiff leave to file a second 23 amended complaint or notify
the Court of his intent to proceed only on the retaliation claim. (Id.) 24 On September 22, 2025,
Plaintiff filed a notice of intent to proceed on the claim found to be 25 cognizable. (ECF No. 9.)
26 Accordingly, it is HEREBY ORDERED that the Clerk of the Court shall assign a District 27
Judge to this action. 28 1 Further, it is HEREBY RECOMMENDED that: 2 1. This action proceed
only on Plaintiffs retaliation against Defendant Hurtado; and 3 2. All other claims and Defendants
be dismissed from the action for failure to state a 4 cognizable claim for relief. 5 These Findings
and Recommendations will be submitted to the United States District Judge 6 assigned to the case,
pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14) 7 days after being served
with these Findings and Recommendations, Plaintiff may file written 8 objections with the Court,
limited to 15 pages, including exhibits. The document should be 9 captioned "Objections to
Magistrate Judge's Findings and Recommendations." Plaintiffis advised 10 that failure to file
objections within the specified time may result in the waiver of rights on appeal. 11 Wilkerson v.
Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 12 1391, 1394

(9th Cir. 1991)). 13

14 IT IS SO ORDERED. DAA Le

15 | Dated: _ September 23, 2025 "

STANLEY A. BOONE

16 United States Magistrate Judge 17 18 19 20 21 22 23 24 25 26 27 28

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