

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jonathan Christopher Coffey v. Ericson, et al.

Coffey v. Ericson · No. 2:23-cv-2474 AC P · Decided March 24, 2025

OPINION

(PC) Coffey v. Ericson

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 JONATHAN CHRISTOPHER COFFEY, No. 2:23-cv-2474 AC P

12 Plaintiff,

13 v. ORDER AND FINDINGS AND

RECOMMENDATIONS

14 ERICSON, et al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding pro se with a
civil rights action pursuant to 42 18 U.S.C. § 1983. On February 6, 2025, the court screened the
first amended complaint and found 19 that plaintiff’s allegations against defendants Saltz, Costa,
Edwards, Ericson, and Prasad stated 20 claims while his claims against defendants Grigsby, Doe
defendants, and CDCR were 21 insufficient. ECF No. 51 at 5-6. Plaintiff was given the option of
amending the complaint or 22 proceeding immediately on his cognizable claims against
defendants Saltz, Costa, Edwards, 23 Ericson, and Prasad. Id. at 6. He was further advised that if
he failed to notify the court how he 24 wanted to proceed, the court would assume that he was
choosing to proceed on the complaint as 25 screened and recommend dismissal without prejudice
of plaintiff’s claims against Grigsby, Doe 26 defendants, and CDCR. Id. at 7. The time for
plaintiff to notify the court as to how he wishes to 27 proceed has now passed, and plaintiff has
not made an election or otherwise responded to the 28 order.] Accordingly, IT IS HEREBY
ORDERED that the Clerk of the Court shall randomly 2 || assign a United States District Judge to
this action. 3 IT IS FURTHER RECOMMENDED that for the reasons set forth in the February 6,
2025, 4 | Screening Order (ECF No. 51 at 5-6, 10-11), Doe defendants and defendants Grigsby
and CDCR 5 || be dismissed without prejudice. 6 These findings and recommendations are
submitted to the United States District Judge 7 || assigned to the case, pursuant to the provisions of
28 U.S.C. § 636(b)(1). Within twenty-one days 8 | after being served with these findings and
recommendations, plaintiff may file written objections 9 || with the court. Such a document should
be captioned “Objections to Magistrate Judges Findings 10 || and Recommendations.” Plaintiff is

advised that failure to file objections within the specified 11 || time may waive the right to appeal
the District Court's order. Martinez v. Ylst, 951 F.2d 1153 12 | (9th Cir. 1991). 13 | DATED:
March 21, 2025 14 ~ 15 Chthwen— Clare
ALLISON CLAIRE
16 UNITED STATES MAGISTRATE JUDGE
17 18 19 20 21 22 23 24 25 26 27 28