UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDREW JESSE HERNANDEZ, SR, Plaintiff, v. ROBERT ST'ANDRE, et al., Defendants.	No. 2:25-cv-1412 CSK P ORDER AND FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis. On August 17, 2026, this Court screened plaintiff's complaint and found plaintiff failed to state cognizable claims against defendants Rob Bonta, Attorney General, Gena Jones, Director of the California Department of Corrections ("CDCR"), Kathleen Allison, Secretary of CDCR, and Kevin Reuter, Chief Medical Executive, and plaintiff was provided thirty days to amend his complaint in an effort to state cognizable claims against them.[1] (ECF No. 13 at 5-6.) Thirty days have passed, and plaintiff has not amended his complaint or otherwise responded to the August 17, 2026 order. (See Docket.)

[1] The Court also found that plaintiff stated cognizable Eighth Amendment claims against defendants Robert ST'Andre, Warden, Kimberly Thornton, Chief Deputy Warden, Brian Wheeler, ADA-Associate Warden, and Todd Murray, Chief Medical Officer, based on their roles in denying or hindering plaintiff's custom wheelchair. (ECF No. 13 at 6.) The Court will order service on these defendants by separate order.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case.

Further, IT IS RECOMMENDED that defendants Rob Bonta, Gena Jones, Kathleen Allison, and Kevin Reuter be dismissed without prejudice.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: October 6, 2026

CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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