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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE ANTONIO MARTINEZ,
Plaintiff,
v.
RUBY ENRIQUEZ, et al.,
Defendants.

No. 1:25-cv-00854-SAB (PC)
ORDER DIRECTING CLERK OF COURT TO
RANDOMLY ASSIGN A DISTRICT JUDGE
TO THIS ACTION
FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL OF
CERTAIN CLAIMS AND DEFENDANTS
(ECF No. 16)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On October 3, 2025, the Court screened Plaintiff’s first amended complaint, and found that Plaintiff stated a cognizable claim for sexual harassment in violation of the Eighth Amendment against Defendant Ruby Enriquez. (ECF No. 15.) The Court granted Plaintiff leave to file an amended complaint or notify the Court of his intent to proceed only on the deliberate indifference claim. (Id.) On October 23, 2025, Plaintiff filed a notice of intent to proceed on the claim found to be cognizable. (ECF No. 16.)

Accordingly, it is HEREBY ORDERED that the Clerk of the Court shall assign a District Judge to this action.

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Further, it is HEREBY RECOMMENDED that:

1. This action proceed only on Plaintiff’s sexual harassment claim against Defendant Ruby Enriquez; and
2. All other claims and Defendants be dismissed from the action for failure to state a cognizable claim for relief.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **fourteen (14) days** after being served with these Findings and Recommendations, Plaintiff may file written objections with the Court, limited to 15 pages, including exhibits. The 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 result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

IT IS SO ORDERED.

Dated: October 24, 2025



STANLEY A. BOONE
United States Magistrate Judge