

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 17-5597-JAK (KK)**

Date: August 15, 2017

Title: ***Chad Richie v. Officer-Sheriff of L.A. County, et al.***

Present: The Honorable **KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE**

DEB TAYLOR

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: (In Chambers)

On July 27, 2017, Plaintiff, an inmate a California Men’s Colony (“CMC”), constructively filed a civil rights Complaint pursuant to 42 U.S.C. § 1983 (“Section 1983”) against “Officer-Sheriff of L.A. County” by mailing a copy of his Complaint to the Court. ECF Docket No. (“Dkt.”) 1, Compl. at 3. Plaintiff alleged an officer “slammed the cell on [Plaintiff’s] back fracturing [his] back.” Id. at 5.

On July 28, 2017, Plaintiff was issued a notice of deficiency because CMC is a participant in a pilot project that requires complaints brought pursuant to Section 1983 to be scanned and submitted to the Court via electronic mail. Dkt. 4. Plaintiff was given two weeks to cure this deficiency. Id.

On August 2, 2017, a complaint was scanned and e-mailed to the Court (“Scanned Complaint”). Plaintiff attached a letter to the Scanned Complaint stating he did not have a copy of the original Complaint and therefore was providing “another copy as close to the original in accuracy as possible.” Dkt. 9 at 8. The Scanned Complaint names two “John Doe” defendants in their individual capacity for violation of the Eighth Amendment and alleges John Doe #1 “quickly cranked the [cell] door closed on plaintiff’s back, causing him to scream out in pain” and “John Doe #2 calmly watched the incident.” Id. at 5.

The Court is inclined to construe the Scanned Complaint as a First Amended Complaint. However, if Plaintiff would prefer to proceed on the original Complaint, he must file a statement **within fourteen (14) days** of this Order. Because Plaintiff does not have a copy of the original Complaint, **the Clerk of Court is directed to mail Plaintiff a copy of the original Complaint, Dkt. 1, and the Scanned Complaint, Dkt. 9.**

IT IS SO ORDERED.