

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

9 Mario Martinez,) No. 1:08-CV-1459-MHM
10 Plaintiff,) **ORDER**
11 vs.)
12 Ted McDow, et al.,)
13 Defendants.)

15 Pursuant to 28 U.S.C. § 1915A(a), when a prisoner files a civil rights complaint
16 seeking redress from a governmental entity, officer, or employee, the Court must screen the
17 complaint “as soon as practicable” after docketing. 28 U.S.C. § 1915A(a). If a plaintiff has
18 raised claims that are legally frivolous or malicious, fail to state a claim upon which relief
19 may be granted, or seek monetary relief from a defendant who is immune from such relief,
20 then the Court must dismiss the complaint or any portion thereof. 28 U.S.C. § 1915A(b)(1),
21 (2). At this time, the above-captioned case has not been statutorily screened. The Court
22 advises the parties that the Court is conducting statutory screening. The matter will proceed
23 following the issuance of the statutory screening order.

24 DATED this 28th day of January, 2009.

Mary H. Murguia
United States District Judge