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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHARLES A. ROGERS,

1:09-cv-01027-SMS-PC

Plaintiff,

ORDER GRANTING REQUEST FOR
SCREENING ORDER

v.

ORDER GRANTING EXTENSION OF
TIME TO FILE RESPONSE TO COMPLAINT

VARGAS, et al.,

(Doc. 1-4.)

Defendants.

This is a civil action filed by plaintiff Charles A. Rogers (“plaintiff”), a state prisoner proceeding pro se. This action was initiated by civil complaint filed by plaintiff in the Kings County Superior Court on March 6, 2009 (Case #09CV0366). On June 11, 2009, defendants S. C. Ponce and L. Polk (“defendants”) removed the case to federal court by filing a Notice of Removal of Action pursuant to 28 U.S.C. § 1441(b). (Doc. 1.) Counsel for defendants has not informed the court of the date defendants received a copy of the complaint. On June 11, 2009, defendants filed a request for the court to screen plaintiff’s complaint under 28 U.S.C. § 1915A and grant defendants an extension of time in which to file a responsive pleading. Plaintiff has not filed an opposition to the request.

The court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). At the

1 time of the events at issue, plaintiff was incarcerated at the California Substance Abuse Treatment
2 Facility ("SATF"), a state prison located in Corcoran, California. Plaintiff brings claims in the
3 complaint against defendants B. Vargas (Librarian Technical Assistant at SATF), S. C. Ponce
4 (Academic Vice Principal at SATF), and L. Polk (Associate Warden at SATF) for economic
5 discrimination, retaliation, breach of duty, equal protection, and violation of his rights to access the
6 courts under the First Amendment. All of the named defendants were employed by the California
7 Department of Corrections and Rehabilitation, a California state entity, at a California state prison
8 when the alleged events occurred. Therefore, the court is required to screen the complaint.
9 Accordingly, defendants' motion for the court to screen the complaint shall be granted. In addition,
10 good cause appearing, the motion for extension of time shall also be granted.

11 Based on the foregoing, IT IS HEREBY ORDERED that:

- 12 1. Defendants' request for the court to screen the complaint is GRANTED, and the court
13 shall issue a screening order in due time;
- 14 2. Defendants Ponce and Polk are GRANTED an extension of time until thirty days
15 from the date of service of the court's screening order in which to file a response to
16 the complaint.

17 IT IS SO ORDERED.

18 **Dated: July 31, 2009**

19 /s/ Sandra M. Snyder
20 UNITED STATES MAGISTRATE JUDGE
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