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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ANTHONY ANDERSON,

Case No. 1:09-cv-01029 JLT (PC)

12 Plaintiff,

ORDER DENYING MOTION TO
VACATE SCREENING ORDER

13 vs.

(Doc. 14)

14 A. HEDGPETH, et al.,

15 Defendants.
16 _____/

17 Plaintiff is a state prisoner proceeding pro se and *in forma pauperis* with a civil rights action
18 pursuant to 42 U.S.C. § 1983. On November 8, 2010, the Court issued a screening order dismissing
19 Plaintiff's complaint with leave to amend. Therein, the Court noted, among other things, that it
20 appeared from the complaint that Plaintiff had not complied with the presentation requirement set
21 forth in the California Tort Claims Act ("CTCA"). The Court advised Plaintiff in this regard that
22 unless he is able to demonstrate compliance with the CTCA, he may not proceed with his state law
23 claims in this action. (Doc. 12 at 7.)

24 On November 29, 2010, Plaintiff filed the instant motion requesting the Court vacate its
25 screening order. Therein, Plaintiff argues that he has satisfied CTCA's presentation requirement.
26 As proof, Plaintiff attaches several exhibits to his motion relating to correspondence between him
27 and the Victim Compensation and Government Claims Board. From these documents, it appears
28 that Plaintiff has presented his claims to the Board on August 18, 2008. (Doc. 14 at 1-13.)

1 Plaintiff is advised to attach his exhibits demonstrating his compliance with the CTCA to his
2 amended complaint, should he elect to file one. The Court will then duly evaluate Plaintiff's
3 compliance with the CTCA upon screening of the amended complaint. Plaintiff's November 29,
4 2010, motion to vacate the screening order is therefore DENIED as being unnecessary.

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6 IT IS SO ORDERED.

7 Dated: December 6, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE