

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAJAUNA KENYATTA IRVIN,
Plaintiff,
v.
JAMES A. YATES, et al.
Defendants.

Case No. 1:10-cv-01940-AWI-SAB
ORDER RE DEFENDANTS' REQUEST TO FOR
SCREENING OF PLAINTIFF'S SECOND
AMENDED COMPLAINT
(ECF No. 44)

Plaintiff is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. This action was removed from Fresno Superior Court on October 14, 2010. (ECF No. 2.) Plaintiff filed a second amended complaint on August 26, 2013. (ECF No. 44.) On August 30, 2013, Defendants' filed a request for Plaintiff's second amended complaint to be screened and that they be granted thirty days from the issuance of the screening order to file a responsive pleading. (ECF No. 45.)

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). The Court screens complaints in the order in which they are filed and strives to avoid delays whenever possible. However, there are hundreds of prisoner civil rights cases presently pending before the court, and delays are inevitable despite the Court's best efforts.

1 The Court will grant Defendants' request that they be relieved from the obligation to file a
2 responsive pleading until thirty days after the complaint is screened.

3 Defendants' request is HEREBY GRANTED IN PART, and Defendants shall have thirty
4 (30) days to file a response to the second amended complaint, to commence upon issuance of the
5 screening order.

6
7 IT IS SO ORDERED.

8 Dated: September 3, 2013

9 
10 _____
11 UNITED STATES MAGISTRATE JUDGE