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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BRYAN E. RANSOM,

CASE NO. 1:11-CV-00068-AWI-MJS PC

Plaintiff,

ORDER GRANTING PLAINTIFF'S  
MOTION FOR CLARIFICATION

v.

(ECF No. 17)

SECRETARY OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS AND  
REHABILITATION, et al.,

Defendants.

**I. PROCEDURAL HISTORY**

Plaintiff Bryan E. Ransom ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed on January 13, 2011 pursuant to 42 U.S.C. § 1983. (Compl., ECF No. 1.)

On March 9, 2011, pursuant to 28 U.S.C. § 1915(g), the Court denied Plaintiff the right to proceed in forma pauperis and dismissed his action without prejudice to refile at the time he submitted the \$350.00 filing fee. (Order, ECF No. 3.) The Court also found that Plaintiff did not meet the imminent danger exception. (Id. at 1-2.)

Plaintiff filed a Motion to Reconsider the Court's ruling regarding his in forma pauperis status. (Motion for Reconsideration, ECF No. 5.) That Motion was denied. (Order Denying, ECF No. 6.)

1 Plaintiff then appealed the Court's in forma pauperis ruling. (Notice of Appeal, ECF  
2 No. 7.) The Ninth Circuit found that Plaintiff could meet the imminent danger exception  
3 established in 28 U.S.C. § 1915(g), vacated the District Court's Order denying leave to  
4 proceed in forma pauperis, and remanded the case to the District Court. (U.S.C.A. Order,  
5 ECF No. 12.)

6 Plaintiff filed a Motion for Return of his Complaint. (Motion for Complaint, ECF No.  
7 13.)

8 On December 2, 2011, the Court issued an Order authorizing Plaintiff to proceed  
9 in forma pauperis, granted his motion for return of the Complaint and directed the Court  
10 Clerk to return the Complaint to him. Plaintiff also was ordered to submit, within sixty (60)  
11 days, a certified copy of his prison trust account statement for the six-month period  
12 immediately preceding filing of the Complaint. (Order Granting Motion, ECF No. 16.)

13 Before the Court is Plaintiff's Motion for Clarification of Case Status (Motion for  
14 Clarification, ECF No. 17) wherein he seeks a copy of the original Complaint lodged with  
15 the Court and an update on the status of his case.

## 16 **II. ANALYSIS**

17 The Court is required to screen complaints brought by prisoners seeking relief  
18 against a governmental entity or officer or employee of a governmental entity. 28 U.S.C.  
19 § 1915A(a). The Court must dismiss a complaint or portion thereof if the prisoner has  
20 raised claims that are legally "frivolous or malicious," that fail to state a claim upon which  
21 relief may be granted, or that seek monetary relief from a defendant who is immune from  
22 such relief. 28 U.S.C. § 1915A(b)(1),(2). "Notwithstanding any filing fee, or any portion  
23 thereof, that may have been paid, the court shall dismiss the case at any time if the court  
24 determines that ... the action or appeal ... fails to state a claim upon which relief may be  
25 granted." 28 U.S.C. § 1915(e)(2)(B)(ii).

26 The Court will direct the United States Marshal to serve Plaintiff's Complaint only  
27 after the Court has screened the Complaint and determined that it contains cognizable  
28 claims for relief against the named Defendants.

1 The Court is aware of Plaintiff's action and his Complaint is in line for screening.  
2 However, the Court has a large number of prisoner civil rights cases pending before it. It  
3 and will screen Plaintiff's Complaint in due course. Until such time as the Court has  
4 screened Plaintiff's Complaint, no further action is required.

5 Plaintiff may make arrangements with the Court Clerk to obtain a copy of his  
6 Complaint upon his submitting a money order covering the cost of copies at the Court's  
7 scheduled charge of \$0.50 per page.

8 **III ORDER**

9 Accordingly, it is ORDERED that Plaintiff's Motion for Clarification is GRANTED in  
10 the manner set out above.

11  
12 IT IS SO ORDERED.

13 Dated: April 3, 2012

*/s/ Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE