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8 **UNITED STATES DISTRICT COURT**
9
10 EASTERN DISTRICT OF CALIFORNIA

11 CLARENCE LEON DEWS,
12 Plaintiff,
13 v.
14 COUNTY OF KERN, et al.,
15 Defendants.
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Case No. 1:12-cv-0245-AWI-MJS
ORDER DENYING PLAINTIFF'S
MISCELLANEOUS MOTIONS
(ECF Nos. 31, 32, 34)

18 Plaintiff Clarence Leon Dews ("Plaintiff") is a state prisoner proceeding pro se
19 and in forma pauperis in this civil rights action pursuant to 42 U.S.C. §1983.
20

21 Plaintiff initiated the case on February 21, 2012. (ECF No. 1.) The Court
22 screened Plaintiff's original Complaint and dismissed it, with leave to amend, for failure
23 to state a claim. (ECF No. 13.) Plaintiff has since filed a First Amended Complaint but
24 it has not yet been screened. (Am. Compl., ECF No. 18.)

25 The Court has not yet determined whether Plaintiff's action contains a cognizable
26 claim. The Court has not ordered service or authorized discovery. No other parties
27 have appeared.

28 Plaintiff has filed several motions with the Court: a motion for discovery (ECF

1 No. 30); a motion for subpoenas (ECF No. 32); and a motion demanding “compliance
2 of ex post facto” and “enforcement of res judicata.” (ECF No. 34.)

3 Plaintiff’s motions for discovery and subpoenas (ECF Nos. 30, 32) are
4 premature. At this stage of the proceedings, the Court has not found that Plaintiff has
5 stated a cognizable claim. It has not authorized or ordered service. In its First
6 Informational Order, the Court informed Plaintiff that discovery would only open after
7 Defendants file an answer. (ECF No. 3.) Plaintiff’s motions for discovery are
8 premature.

9 Plaintiff’s motion for ex post facto and res judicata relief is incomprehensible and
10 seeks no discernable relief.

11 Accordingly, Plaintiff’s motions for miscellaneous relief (ECF Nos. 31, 32, 34) are
12 DENIED.

13
14 IT IS SO ORDERED.

15 Dated: March 11, 2014

1s/ Michael J. Seng
16 UNITED STATES MAGISTRATE JUDGE