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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHARLES A. MILLER,

1:12-cv-00353-LJO-GSA-PC

Plaintiff,

ORDER GRANTING REQUEST FOR
SCREENING ORDER

v.

ORDER GRANTING EXTENSION OF
TIME TO FILE RESPONSE TO
COMPLAINT

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,

(Doc 2.)

Defendants.

_____ /
This is a civil action filed by Charles A. Miller ("Plaintiff"), a state prisoner proceeding pro se. This action was initiated by civil complaint filed by Plaintiff in the Fresno County Superior Court on June 15, 2010 (Case #10CDCG02100). On March 8, 2012, defendants Adonis, Griffith, Gutierrez, Igbinsosa, Medina, and Mendez removed the case to federal court by filing a Notice of Removal of Action pursuant to 28 U.S.C. § 1441(b). (Doc. 1.) On March 8, 2012, 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.¹ Plaintiff has not opposed the requests.

_____ /
¹On March 8, 2012, Defendants California Department of Corrections and Rehabilitation ("CDCR"), Ahmen, Anderson, Chudy, Duenas, Eddings, Pascual, and Walker joined in the Notice of Removal of Action, request for the court to screen the complaint, and request for extension of time. (Doc. 4.)

1 The Court is required to screen complaints in civil actions in which a prisoner seeks redress
2 from a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a).
3 Plaintiff's complaint alleges that beginning on April 3, 2009, his right to adequate medical care
4 under the Eighth and Fourteenth Amendments was violated by Defendants, employees at Pleasant
5 Valley State Prison in Coalinga, California, and Correctional Training Facility in Soledad, California
6 State Prison. Because Plaintiff is a prisoner and Defendants were employed at state prisons when
7 the alleged events occurred, the court is required to screen the complaint. Therefore, Defendants'
8 motion for the Court to screen the complaint shall be granted. In addition, good cause appearing,
9 the motion for extension of time shall also be granted.

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

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

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16 IT IS SO ORDERED.

17 **Dated: October 4, 2012**

18 /s/ Gary S. Austin
19 UNITED STATES MAGISTRATE JUDGE
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