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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN R. MILLER,

Plaintiff,

v.

ALBERT NAJERA, et al.,

Defendants.

CASE No. 1:12-cv-01288-AWI-MJS (PC)

ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S MOTION
FOR STATUS AND SUGGESTED
COURSE OF ACTION

(ECF No. 15)

_____ /

Plaintiff Steven R. Miller is a federal prisoner proceeding pro se in this civil rights action filed on July 30, 2012 pursuant to 42 U.S.C. § 1983 and Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). (ECF No. 1.)

Plaintiff filed a first amended complaint (ECF No. 10) without the complaint having been screened. The Court has not yet screened the first amended complaint.

Pending before the Court is Plaintiff's motion for status, marshal's service, and a status conference. (ECF No. 15.)

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 must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally "frivolous or malicious," that fail to state a claim upon

1 which relief may be granted, or that seek monetary relief from a defendant who is
2 immune from such relief. 28 U.S.C. § 1915A(b)(1),(2).

3 The Court is aware of Plaintiff's action and his first amended complaint is in line
4 for screening. However, the Court has a large number of prisoner civil rights cases
5 pending before it and will screen Plaintiff's amended pleading in due course. The Court,
6 if it finds Plaintiff states a cognizable claim, will issue an order instructing Plaintiff, who
7 is not proceeding in forma pauperis under 28 U.S.C. § 1915, on service of process.
8 Discovery and scheduling orders will be issued only after Defendants have been served
9 and filed an answer to Plaintiff's amended pleading.

10 Until such time as the Court has screened Plaintiff's first amended complaint, no
11 further action is required.

12 Accordingly, for the reasons stated above, it is HEREBY ORDERED that
13 Plaintiff's motion for status (ECF No. 15) is GRANTED IN PART and the foregoing
14 constitutes a report of that status, and DENIED IN PART as to the requests for
15 marshal's service and a status conference.

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21 IT IS SO ORDERED.

22 Dated: July 18, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE