

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

THOMAS GOOLSBY,

Plaintiff,

vs.

MATTHEW CATE, et al.,

Defendants.

1:13-cv-00119-GSA-PC

ORDER DISREGARDING PLAINTIFF'S
MOTION TO LIFT STAY AS MOOT
(Doc. 27.)

ORDER DIRECTING CLERK TO FILE
AMENDED COMPLAINT WHICH WAS
LODGED ON SEPTEMBER 23, 2013
(Doc. 28.)

Thomas Goolsby ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. This action was filed on January 25, 2013. (Doc. 1.) On February 11, 2013, Plaintiff consented to Magistrate Judge jurisdiction in this action pursuant to 28 U.S.C. § 636(c), and no other parties have made an appearance. (Doc. 3.) Therefore, pursuant to Appendix A(k)(4) of the Local Rules of the Eastern District of California, the undersigned shall conduct any and all proceedings in the case until such time as reassignment to a District Judge is required. Local Rule Appendix A(k)(3).

On September 23, 2013, Plaintiff filed a motion to lift the stay of this action and to screen the Amended Complaint lodged on September 23, 2013. (Docs. 27, 28.)

Plaintiff's motion to lift the stay is moot because on September 23, 2013, the court entered an order lifting the stay. (Doc. 26.) Plaintiff's Amended Complaint shall be filed, and the court shall screen the Amended Complaint in due time.

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

2 1. Plaintiff's motion to lift the stay of this action, filed on September 23, 2013, is
3 DISREGARDED as moot;

4 2. The Clerk is directed to file the Amended Complaint lodged on September 23,
5 2013; and

6 3. Plaintiff's Amended Complaint shall be screened in due course.

7
8
9
10 IT IS SO ORDERED.

11
12 Dated: September 25, 2013

/s/ Gary S. Austin
13 UNITED STATES MAGISTRATE JUDGE