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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARCHIE CRANFORD,
Plaintiff,
vs.
RENEE MEDINA, et al.,
Defendants.

1:13-cv-00210-GSA-PC
ORDER DENYING PLAINTIFF'S
REQUEST TO OPEN DISCOVERY
(Doc. 14.)

I. BACKGROUND

Archie Cranford ("Plaintiff") is a civil detainee proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on February 8, 2013. (Doc. 1.) On February 21, 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. 5.) 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 March 7, 2013, Plaintiff filed the First Amended Complaint. (Doc. 9.) On March 8, 2013, the court issued an order striking the First Amended Complaint for lack of Plaintiff's signature, with leave to amend. (Doc. 11.) On March 18, 2013, Plaintiff filed the Second Amended Complaint. (Doc. 12.) The court screened the Second Amended Complaint pursuant

1 to 28 U.S.C. § 1915A and issued an order on May 16, 2014, dismissing the Second Amended
2 Complaint for failure to state a claim, with leave to amend within thirty days. (Doc. 13.)

3 On May 22, 2014, Plaintiff filed a Motion for a Time Table, in which he requests the
4 court to open discovery in this case. (Doc. 14.)

5 **II. DISCOVERY**

6 Plaintiff argues that discovery should be opened in this case because it has been more
7 than a year since he filed the case; one defendant has passed away; and several other defendants
8 have fabricated charges against him in an attempt to cause him to dismiss this case.

9 Plaintiff is advised that the court will issue a scheduling order setting a schedule for
10 discovery after the complaint has been served and one of the defendants has filed an Answer to
11 the complaint. At this stage of the proceedings, Plaintiff's Second Amended Complaint has
12 been dismissed, with leave to file a Third Amended Complaint within thirty days. Service of
13 process shall not be initiated until the court completes the screening process and finds that
14 Plaintiff states cognizable claims. Therefore, it is not time for discovery in this action, and
15 Plaintiff's request to open discovery at this stage of the proceedings shall be denied.

16 **III. CONCLUSION**

17 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff's request to open
18 discovery, filed on May 22, 2014, is DENIED.

19 IT IS SO ORDERED.
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21 Dated: May 23, 2014

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