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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EARNEST CASSELL WOODS, II,

Plaintiff,

v.

DARRELL ADAMS, et al.,

Defendants.

Case No. 1:13-cv-00621 AWI DLB PC

**ORDER DENYING PLAINTIFF'S
MOTION FOR EXERT WITNESS**

(Document 12)

Plaintiff Earnest Cassell Woods, II (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action. Plaintiff filed this action on April 29, 2013. Pursuant to Court order, Plaintiff filed a First Amended Complaint on January 6, 2014. The complaint is awaiting screening pursuant to 28 U.S.C. § 1915A(a).

On January 6, 2014, Plaintiff filed a Motion for Expert Witnesses in which he asks that the Court appoint an expert for his medical claims.

The discovery phase of this litigation is not yet open. Plaintiff is directed to paragraph eight of the court’s First Informational Order, filed on April 30, 2013. The Court explained that Plaintiff may not conduct discovery until Defendants file an answer and the Court issues the discovery order.

1 In this case, Plaintiff's First Amended Complaint has not yet been screened and it is not
2 known whether he can state a claim for which relief may be granted. Therefore, any motions related
3 to discovery and/or the appointment of an expert witness are premature.

4 Accordingly, Plaintiff's Motion for Expert Witness is DENIED.

5
6 IT IS SO ORDERED.

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8 Dated: January 9, 2014

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE