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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEWAYNE THOMPSON,

 Plaintiff,

 v.

T. ADAMS, et al.,

 Defendants.

Case No. 1:13-cv-00655-AWI-SKO (PC)

ORDER RELIEVING PLAINTIFF OF
OBLIGATION TO RESPOND TO MOTIONS
AND REQUIRING DEFENDANTS TO
SHOW CAUSE WHY MOTIONS SHOULD
NOT BE SUMMARILY DENIED

(Docs. 31 and 32)

FIFTEEN-DAY DEADLINE

Plaintiff DeWayne Thompson (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on May 6, 2013. This action for damages is proceeding on Plaintiff’s fourth amended complaint against Defendants Felix, Harmon, Pendergrass, Cruz, and Brodie (“Defendants”) for violation of the Eighth Amendment of the United States Constitution. 28 U.S.C. § 1915A.

On August 20, 2015, Defendants filed a motion seeking revocation of Plaintiff’s in forma pauperis status pursuant to 28 U.S.C. § 1915(g) and a motion to stay the proceedings pending resolution of their section 1915(g) motion.

Section 1915(g) provides that “[i]n no event shall a prisoner bring a civil action . . . under this section if the prisoner has, on 3 or more *prior* occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted,

1 unless the prisoner is under imminent danger of serious physical injury.” § 1915(g) (emphasis
2 added). Defendants are seeking revocation of Plaintiff’s in forma pauperis status based on two
3 “strikes” which accrued *after* this suit was brought on May 6, 2013.¹ *Coleman v. Tollefson*, __
4 U.S. __, __, 135 S.Ct. 1759, 1761-63 (2015). (Doc. 31, Motion, Exs. B, C.)

5 Defendants’ motion to revoke Plaintiff’s in forma pauperis status appears to lack any basis
6 in law or in fact, Fed. R. Civ. P. 11(b), and the Court HEREBY ORDERS as follows:

- 7 1. Plaintiff is relieved of his obligation to file a response to the motions pending
8 further order of the Court;
- 9 2. Defendants are required to show cause within **fifteen (15) days** why their motions
10 should not be summarily denied; and
- 11 3. The failure to respond to this order may result in the imposition of sanctions.

12
13 IT IS SO ORDERED.

14 Dated: August 21, 2015

14 /s/ Sheila K. Oberto
15 UNITED STATES MAGISTRATE JUDGE

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¹ The first “strike” accrued in 2008. (Doc. 31, Motion, Ex. A.)