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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SAIYEZ AHMED,

Plaintiff,

v.

M. MARTEL, et al.,

Defendants.

CASE NO. 1:13-cv-0941-MJS (PC)

ORDER DENYING PLAINTIFF'S MOTION
FOR SERVICE COSTS

(ECF No. 8)

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Plaintiff Saiyez Ahmed ("Plaintiff") is a prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

This action is proceeding on Plaintiff's Complaint filed June 20, 2013. (ECF No. 1.) Plaintiff's Complaint has yet to be screened.

On July 11, 2013, Plaintiff filed a motion in which he informed the Court he had served the defendants in this action and requested reimbursement of the costs of such service. (ECF No. 8.)

The Court is required to screen complaints brought by prisoners seeking relief against a governmental entity or employee of a governmental entity. 28 U.S.C. §

1 1915(A)(a). The Court must dismiss a complaint or portion thereof if the prisoner has
2 raised claims that are legally “frivolous or malicious,” that fail to state a claim upon which
3 relief may be granted, or that seek monetary relief from a defendant who is immune from
4 such relief. 28 U.S.C. § 1915A(b)(1),(2). The Court screens complaints in the order in
5 which they are filed. However, there are hundreds of prisoner civil rights cases presently
6 pending before the Court. Delays are inevitable despite the Court’s best efforts. Only after
7 the Court screens Plaintiff’s Complaint and if the Court finds that it states a cognizable
8 claim can Plaintiff’s Complaint be served. In the event that the Court finds that Plaintiff has
9 stated a cognizable claim, the Court itself will order service on defendants and direct the
10 United States Marshall, not Plaintiff, to serve the defendants.
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13 Accordingly, the Court finds Plaintiff’s efforts to serve defendants at this stage of the
14 litigation to be premature. Defendants will not required to respond to Plaintiff’s Complaint
15 until the Court finds that Plaintiff has stated a cognizable claim and ordered Plaintiff’s
16 Complaint to be served. Plaintiff’s request for reimbursement of service costs is DENIED.
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21 IT IS SO ORDERED.

22 Dated: July 16, 2013

23 Isl. Michael J. Song
24 UNITED STATES MAGISTRATE JUDGE
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