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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT A. VON VILLAS,
Plaintiff,
v.
PALLARES, et al.,
Defendants.

Case No. 1:13-cv-01869-LJO-JLT (PC)
ORDER DENYING PLAINTIFF'S
REQUEST FOR JUDICIAL NOTICE and
REQUEST FOR SCREENING ORDER AND
EXTENSION OF TIME IN CASE No.: 1:14-cv-
01063-LJO-GSA
(Doc. 10)

Plaintiff, Robert A. Von Villas, is a state prisoner who is currently proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on November 18, 2013. (Doc. 1.) On July 28, 2014, Plaintiff filed a document entitled "Notice Advising Court Defendants filed Motion of Removal, Request for Screening Order, and Request for Extension of Time to Respond Under Different Case Number." (Doc. 10.) In that document, Plaintiff requested that notice be taken in this case that he filed a notice of objection to a defense notice of removal, and requests both a screening order and an extension to respond in *Von Villas v. Pallares*, E.D. Case No. 1:14-cv-01063-LJO-GSA.¹ (*Id.*)

Under Federal Rule of Evidence 201, "[t]he court may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the court's territorial

¹ Case No. 1:14-cv-01063-LJO-GSA was recently dismissed as duplicative of this action.

1 jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot
2 reasonably be questioned.” Fed.R.Evid. 201. While judicial notice may be taken of undisputed
3 matters of public record, including documents on file in federal or state courts, *Harris v. County*
4 *of Orange*, 682 F.3d 1126, 1132 (2012), *ref. Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th
5 Cir.2001), *Bennett v. Medtronic, Inc.*, 285 F.3d 801, 803 n. 2 (9th Cir.2002), there is nothing
6 currently pending in this action to which Plaintiff’s request for judicial notice may apply. This
7 action has been screened and is currently awaiting Plaintiff’s action of either filing a first
8 amended complaint or notification that he desires to proceed only on claims found to be
9 cognizable.²

10 Further, the Court cannot grant a request in this action for a screening order and an
11 extension of time in another action. Plaintiff should have filed any requests applicable to Case
12 No. 1:14-cv-01063-LJO-GSA in that action.

13 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s request for notice to be taken of
14 objections he filed in 1:14-cv-01063-LJO-GSA as well as for a screening order and extension of
15 time therein, filed July 28, 2014 (Doc. 10), be DENIED.

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17 IT IS SO ORDERED.

18 Dated: October 7, 2014

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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² Plaintiff recently requested and received an extension of time to do so. (*See* Docs. 12, 13, 14.)