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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

ARCHIE CRANFORD,  
  
                    Plaintiff,  
  
          v.  
  
KIM WYATT,  
  
                    Defendant.

Case No. 1:14-cv-00136 DLB PC  
  
ORDER DENYING PLAINTIFF’S MOTION  
FOR DISCOVERY  
  
[ECF No. 11]

Plaintiff Archie Cranford (“Plaintiff”), a civil detainee proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 31, 2014.<sup>1</sup>

On October 17, 2014, Plaintiff filed a motion seeking to open discovery. Plaintiff is advised that the Court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The Court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally “frivolous or malicious,” that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1),(2). “Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that . . . the action or appeal . . . fails to state a claim upon which relief may be granted.” 28 U.S.C. § 1915(e)(2)(B)(ii). In this case, the Court has

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<sup>1</sup> Plaintiff consented to the jurisdiction of the Magistrate Judge on February 7, 2014.

1 not yet screened the complaint, and service on Defendant has not yet been authorized. Therefore,  
2 Plaintiff's motion for discovery is premature.

3 **ORDER**

4 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for discovery is DENIED.  
5  
6 IT IS SO ORDERED.

7 Dated: January 21, 2015

/s/ Dennis L. Beck  
8 UNITED STATES MAGISTRATE JUDGE