UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ARCHIE CRANFORD, Plaintiff, v. DHARLEEN, et al., Defendants.	Case No. 1:14-cv-00995-BAM ORDER DENYING PLAINTIFF'S MOTION FOR DISCOVERY AS PREMATURE (ECF No. 11)

Plaintiff Archie Cranford ("Plaintiff") is a civil detainee proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on June 25, 2014. (ECF No. 1.) He filed an amended complaint on July 7, 2014. (ECF No. 8.)

On October 17, 2014, Plaintiff filed the instant motion for discovery. (ECF No. 11.)

Plaintiff's motion for discovery is premature and shall be denied without prejudice. The Court has not screened Plaintiff's complaint to determine whether it is subject to dismissal or whether the action should proceed to discovery on Plaintiff's claims. 28 U.S.C. § 1915(e)(2)(B)(ii) ("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.") The complaint has not been ordered served, no defendants have appeared and discovery has not been opened. Plaintiff's complaint will be screened in due course.

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Accordingly, Plaintiff's motion for discovery is HEREBY DENIED, without prejudice, as premature.

IT IS SO ORDERED.

Dated: **October 21, 2014**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE