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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ISMAEL LOPEZ-RANGEL,

Plaintiff,

v.

PAUL COPENHAVER, et al.,

Defendants.

Case No. 1:14-cv-01175 DLB PC

ORDER GRANTING PLAINTIFF’S
MOTION FOR RECONSIDERATION
(Document 15)

ORDER DIRECTING CLERK OF
COURT TO REOPEN ACTION

Plaintiff Ismael Lopez-Rangel (“Plaintiff”), a former federal prisoner proceeding pro se and in forma pauperis, filed this civil action on July 28, 2014, pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), which provides a remedy for violation of civil rights by federal actors.¹

In a December 19, 2014, filing, Plaintiff indicated that he is a citizen of Mexico and would be deported upon release, which was within six months. Plaintiff asked that his case be expedited in light of his upcoming release and deportation.

On January 22, 2015, the Court screened the complaint and dismissed it with leave to amend. Plaintiff filed his amended complaint on March 2, 2015.

According to the Bureau of Prisons Inmate Locator, Plaintiff was released from custody on May 4, 2015.

¹ Plaintiff consented to the jurisdiction of the United States Magistrate Judge on August 13, 2014.

1 Based on Plaintiff's notice to the Court of his upcoming release and deportation, as well as
2 his May 5, 2015, release, the Court issued an order to show cause on September 16, 2015, why the
3 action should not be dismissed for Plaintiff's failure to file a notice of change of address.

4 On September 23, 2015, the order to show cause was returned by the United States Postal
5 Service with a notation, "Undeliverable. No longer at this facility."

6 Therefore, on December 9, 2015, the Court dismissed this action without prejudice based on
7 Plaintiff's failure to prosecute by keeping the Court informed of his current address.

8 On January 21, 2016, the Court received a filing from Plaintiff. Plaintiff explains that on
9 May 4, 2015, he was transferred to Mexico, and he has not received information about this action.

10 The Court construes Plaintiff's notice as a motion for reconsideration pursuant to Federal
11 Rule of Civil Procedure 60(b)(b). Given the circumstances, good cause exists to reopen this action
12 and Plaintiff's motion is GRANTED. The Clerk of Court is directed to REOPEN this action.

13 The Court will screen Plaintiff's March 2, 2015, First Amended Complaint in due course.

14 IT IS SO ORDERED.

15
16 Dated: January 26, 2016

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE