| 1 | | |
|----|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | UNITED STATES DISTRICT COURT | |
| 9 | EASTERN DISTRICT OF CALIFORNIA | |
| 10 | | |
| 11 | SEAN BAPTISTE NEAL, | Case No. 1:14-cv-02067JLT (PC) |
| 12 | Plaintiff, | ORDER GRANTING DEFENDANTS' REQUEST FOR SCREENING ORDER AND |
| 13 | V. | FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING |
| 14 | DIRECTOR OF DEPT. OF CORRECTIONS AND REHABILITATIONS, et al., | (Doc. 3) |
| 15 | Defendants. | (1000.3) |
| 16 | Defendants. | |
| 17 | Plaintiff, Sean Baptiste Neal, is a state prisoner proceeding pro se in this civil rights action | |
| 18 | pursuant to 42 U.S.C. § 1983. Plaintiff originally filed this action in Kern County Superior | |
| 19 | Court, but on December 22, 2014, Defendants removed the action to this Court. (Doc. 1.) That | |
| 20 | same day, Defendants filed a motion requesting that the action be screened per 28 U.S.C. § | |
| 21 | 1915A and that they be allowed to file a response to Plaintiff's pleading thirty days if it "survives | |
| 22 | the Court's screening " (Doc. 3.) | |
| 23 | It is true that 28 U.S.C. § 1915A applies to this action and requires the court to screen all | |
| 24 | civil actions filed by prisoners seeking redress from a governmental officer, employee, or entity. | |
| 25 | Thus, Defendants' request for screening is properly granted. Further, until cognizable claims have | |
| 26 | been found to be stated against them, Defendants are not required to file a responsive pleading. | |
| 27 | /// | |
| 28 | // | |
| | | |

Accordingly, it is HEREBY ORDERED that Defendant's Request for Screening Order under 28 U.S.C. § 1915A, filed on December 22, 2014 (Doc. 3), is GRANTED. As necessary, the Court will set a responsive pleading deadline. Until that time, no responsive pleading shall be filed. IT IS SO ORDERED. Dated: **December 29, 2014** /s/ Jennifer L. Thurston UNITED STATES MAGISTRATE JUDGE