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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

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11 RASHEED HILSON, SR.,

12 Plaintiff,

13 v.

14 JESSE ARNETT, et al.,

15 Defendants.

Case No. 1:15-cv-01240-MJS (PC)

**ORDER DENYING MOTION  
REGARDING EXHAUSTION OF  
ADMINISTRATIVE REMEDIES AND  
SCREENING OF COMPLAINT (ECF No.  
13)**

**ORDER DENYING MOTION FOR  
EXTENSION OF TIME (ECF No. 14)**

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18 Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil  
19 rights action brought pursuant to 42 U.S.C. § 1983. On October 14, 2015, the Court  
20 screened Plaintiff's complaint and found that it stated Eighth Amendment claims against  
21 Defendants Arnett, Gamboa, Potzernitz, Flores, and Marsh, but no other claims. (ECF  
22 No. 8.) Plaintiff was ordered to file an amended complaint or notify the Court of his  
23 willingness to proceed only on the cognizable claims. Plaintiff filed a first amended  
24 complaint on December 10, 2015. (ECF No. 11.) Screening of that complaint presently  
25 is pending.

26 Before the Court are Plaintiff's May 5, 2016 motions. The first is entitled, "Notice  
27 of Motion Regarding the Completion of Exhausting any all [sic] Administrative Remedies  
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1 at CDCR; & Request that this Court Immediately Respond to Plaintiff's First Amended  
2 Complaint to Afford Plaintiff his Right to Due Process." (ECF No. 13.) The second seeks  
3 an extension of time to file a first amended complaint. (ECF No. 14.)

4 In his first motion, Plaintiff states that he has exhausted his administrative  
5 remedies and therefore asks that the Court "answer" his complaint. The Court is  
6 required to screen Plaintiff's amended complaint before it may be served on any  
7 Defendants and before any Defendants may be called to answer. 28 U.S.C. § 1915A(a).  
8 This requirement is mandatory. However, the Fresno Division of the United States  
9 District Court for the Eastern District of California carries one of the busiest dockets in  
10 the country. The Court is faced with cases similar to Plaintiff's almost daily. There is a  
11 backlog of cases and resulting delay in screenings complaints. The Court will screen  
12 Plaintiff's first amended complaint in due course. Plaintiff's apparent request for an  
13 immediate or expedited screening will be denied.

14 In his second motion, Plaintiff seeks an extension of time to file his first amended  
15 complaint. However, Plaintiff already has timely filed a first amended complaint.  
16 Accordingly, this request is moot and will be denied.

17 Based on the foregoing, it is HEREBY ORDERED that:

- 18 1. Plaintiff's motion regarding exhaustion of administrative remedies and  
19 screening of his first amended complaint (ECF No.13) is DENIED; and
- 20 2. Plaintiff's motion for extension of time (ECF No. 14) is DENIED as moot.

21 IT IS SO ORDERED.  
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23 Dated: May 9, 2016

24 /s/ Michael J. Seng  
25 UNITED STATES MAGISTRATE JUDGE  
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