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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

RASHAD KING,	)	1:15-cv-01885-BAM (PC)
	)	
Plaintiff,	)	ORDER DENYING PLAINTIFF’S MOTION
	)	FOR SUMMARY JUDGMENT, WITHOUT
v.	)	PREJUDICE
	)	
S. HOLLAND, et al,	)	(ECF No. 12)
	)	
Defendants.	)	
	)	
	)	

Plaintiff Rashad King (“Plaintiff”), is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 28 U.S.C. § 1361. Plaintiff has consented to magistrate judge jurisdiction. (ECF No. 5.)

Currently before the Court is Plaintiff’s motion for summary judgment, in which he states that he has not yet received any information regarding whether his complaint will proceed passed the screening stage, and thus he seeks summary judgment. (ECF No. 12.)

Plaintiff’s motions shall be denied, without prejudice. As Plaintiff has been previously informed and as he admits in his motion, 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). Should Plaintiff’s complaint proceed beyond the screening stage, the Court will direct it to be served, and will issue an order setting a schedule for discovery and dispositive motions. Since no complaint has been ordered served, and no defendants have

1 appeared, dispositive motions are premature. Plaintiff is advised that his complaint will be  
2 screened in due course.

3 Accordingly, Plaintiff's motion for summary judgment (ECF No. 12) is HEREBY  
4 DENIED, without prejudice.

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6 IT IS SO ORDERED.

7 Dated: September 6, 2016

8 /s/ Barbara A. McAuliffe  
9 UNITED STATES MAGISTRATE JUDGE

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