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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JASON SCHEIDING,
Plaintiff,
v.
DAVID SMITH, et al.,
Defendants.

1:16-cv-00164-DAD-BAM (PC)

ORDER REGARDING PLAINTIFF’S NOTICE
OF CHANGE OF ADDRESS AND MOTION
REQUESTING A SCHEDULING ORDER
(ECF No. 15)

Plaintiff Jason Scheiding (“Plaintiff”) is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action in the District Court for the Northern District of California on January 27, 2016. (ECF No. 1.) The action was transferred to this Court on February 4, 2016. (ECF No. 6.)

Currently before the Court is Plaintiff’s combined notice of change of address and motion requesting for scheduling order. (ECF No. 15.) Plaintiff has updated the Court of his address change, and states that he believes a scheduling order may have been issued while he was undergoing transfer. He requests any missed papers, filings, scheduling orders, etc.

No scheduling order has yet been issued in this matter. 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). Plaintiff’s complaint, or any portion thereof, is subject to dismissal if it is frivolous or malicious, if it fails to state a claim upon which

1 relief may be granted, or if it seeks monetary relief from a defendant who is immune from such
2 relief. 28 U.S.C. § 1915A(b)(1), (2); 28 U.S.C. § 1915(e)(2)(B)(ii). Plaintiff's complaint has not
3 yet been screened, no defendants have been served or appeared, and thus no scheduling order has
4 issued. Currently, there are no deadlines pending. As a result, Plaintiff's request for a scheduling
5 order will be denied. Plaintiff's complaint will be screened in due course.

6 Plaintiff is further informed that the docket reflects the last documents in this matter sent
7 to Plaintiff was a Clerk of the Court's notice that the case has been assigned to District Judge
8 Dale A. Drozd and Magistrate Judge Barbara A. McAuliffe. The new case number is **1:16-cv-**
9 **00164-DAD-BAM (PC)**. All further filings should reflect this case number. That notice was
10 served by mail on Plaintiff on February 17, 2016, and was not returned as undelivered or
11 otherwise.

12 The Court was subsequently notified by Plaintiff of his change of address on July 18,
13 2016, regarding his transfer to his current housing at La Palma Correctional Center in Eloy,
14 Arizona. The Court then received this second notice of Plaintiff's change of address and motion
15 for a scheduling order. No orders were issued between the February 17, 2016 notice and this
16 current order.

17 Accordingly, it is HEREBY ORDERED that Plaintiff's motion for a scheduling order
18 (ECF No. 15) is DENIED.

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20 IT IS SO ORDERED.

21 Dated: August 16, 2016

22 /s/ Barbara A. McAuliffe
23 UNITED STATES MAGISTRATE JUDGE
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