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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SAM CONSIGLIO, JR.,	}	Case No.: 1:16-cv-01268-AWI-SAB (PC)
Plaintiff,	}	ORDER REQUIRING DEFENDANTS TO FILE AN ANSWER ON OR BEFORE SEPTEMBER 20, 2018
vs.	}	
EDMUND G. BROWN, et al.,	}	
Defendants.	}	

Plaintiff Sam Consiglio, Jr., is a civil detainee proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 6, 2018, 2018, an order issued granting Defendants Ahlin and Brown’s motion to dismiss in part and denying in part, and denying Defendant Price’s motion to dismiss. (ECF No. 54.) Consequently, this case now proceeds on Plaintiff’s claim against Defendants Ahlin and Price, in their official capacities, that a ban on certain electronic devices at CSH pursuant to 9 C.C.R. § 891 and 9 C.C.R. § 4350 amounts to punishment in violation of the Fourteenth Amendment.

Pursuant to Rule 12 of the Federal Rules of Civil Procedure, when a motion under Rule 12 is decided, the defendant has fourteen (14) days after notice of the court’s action to file a responsive pleading. Fed. R. Civ. P. 12(a)(4)(A).

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Accordingly, IT IS HEREBY ORDERED that Defendants Ahlin and Price shall file an answer to the complaint on or before September 20, 2018.

IT IS SO ORDERED.

Dated: September 7, 2018



UNITED STATES MAGISTRATE JUDGE