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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 EVERETT HOLLAND,
12 Plaintiff,
13 vs.
14 C. SCHUYLER, et al.,
15 Defendants.
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1:16-cv-01271-DAD-GSA-PC

ORDER GRANTING REQUEST FOR
SCREENING ORDER

ORDER GRANTING EXTENSION OF
TIME TO FILE RESPONSE TO
COMPLAINT

17 This is a civil action filed by Everett Holland (“Plaintiff”), a state prisoner proceeding
18 pro se. This action was initiated by civil complaint filed by Plaintiff in the Kern County
19 Superior Court on September 29, 2015 (Case #BCV 15 101147 DRL). On August 26, 2016,
20 defendants Esmond, Haak, Hunley, Maciejewski, and Schuyler (“Defendants”) removed the
21 case to federal court by filing a Notice of Removal of Action pursuant to 28 U.S.C. § 1441(c).
22 (ECF No. 1.) Within the Notice of Removal, Defendants requested the court to screen
23 Plaintiff’s complaint under 28 U.S.C. § 1915A and grant Defendants an extension of time in
24 which to file a responsive pleading. (*Id.* ¶9.)

25 The Court is required to screen complaints in civil actions in which a prisoner seeks
26 redress from a governmental entity or officer or employee of a governmental entity. 28 U.S.C.
27 § 1915A(a). Plaintiff’s complaint alleges that Defendants, employees of the California
28 Department of Corrections and Rehabilitation (CDCR) at California Correctional Institution in

1 Tehachapi, California, violated his civil rights under the Fourteenth Amendment of the United
2 States Constitution. Because Plaintiff is a prisoner and Defendants were employees of the
3 CDCR at a state prison when the alleged events occurred, the court is required to screen the
4 complaint. Therefore, Defendants' motion for the court to screen the complaint shall be
5 granted. In addition, good cause appearing, the motion for extension of time shall also be
6 granted.

7 Based on the foregoing, IT IS HEREBY ORDERED that:

- 8 1. Defendants' motion for the Court to screen the complaint is GRANTED, and the
9 Court shall issue a screening order in due course;
- 10 2. Defendants are GRANTED an extension of time until thirty days from the date
11 of service of the Court's screening order in which to file a response to the
12 complaint.

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14 IT IS SO ORDERED.

15 Dated: February 24, 2017

/s/ Gary S. Austin
16 UNITED STATES MAGISTRATE JUDGE
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