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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 DOMINIC CARTER,

11 Plaintiff,

12 v.

13 H. FLORES, et al.,

14 Defendants.  
15

1:17-cv-00245-EPG (PC)

ORDER GRANTING REQUEST FOR  
SCREENING ORDER AND SETTING  
DEADLINE FOR RESPONSIVE  
PLEADING  
(ECF NOS. 1 & 5)

16 This is a civil action filed by Dominic Carter ("Plaintiff"), a state prisoner proceeding  
17 *pro se*. This action was initiated by the filing of a civil complaint in Kings County Superior  
18 Court on November 23, 2016 (Case #16-C0379). (ECF No. 1, p. 4). On February 16, 2017,  
19 defendants Flores, Godwin, Goree, Longoria, and Pacillas removed the case to federal court by  
20 filing a notice of removal of action pursuant to 28 U.S.C. § 1441(a). (*Id.* at pgs. 1-2). Within  
21 the notice of removal, these defendants requested that the Court screen Plaintiff's complaint  
22 under 28 U.S.C. § 1915A. (*Id.* at p. 2). On February 21, 2017, defendant Brown filed a joinder  
23 to the notice of removal and request for screening. (ECF No. 5).

24 The Court is required to screen complaints in civil actions in which a prisoner seeks  
25 redress from a governmental entity or officer or employee of a governmental entity. 28 U.S.C.  
26 § 1915A(a). Plaintiff's complaint alleges that defendants, employees of the California  
27 Department of Corrections and Rehabilitation ("CDCR"), violated his rights under the First  
28 Amendment, Eighth Amendment, and Fourteenth Amendment of the United States

1 Constitution. Because Plaintiff is a prisoner and defendants were employees of the CDCR  
2 when the alleged events occurred, the Court is required to screen the complaint. Therefore, the  
3 request for the Court to screen the complaint will be granted. In addition, the Court will extend  
4 the deadline for defendants to file a responsive pleading.

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

- 6 1. The request for the Court to screen the complaint is GRANTED, and the court  
7 shall issue a screening order in due time; and
- 8 2. If the Court finds cognizable claims in its screening order, defendants have  
9 thirty days from the date of service of the Court's screening order in which to  
10 file a response to the complaint.

11 IT IS SO ORDERED.  
12

13 Dated: February 23, 2017

14 /s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE