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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 LILLIAN SMITH,

12 Plaintiff,

13 vs.

14 C. BURGENDORFF, et al.,

15 Defendants.
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1:17-cv-00634-GSA-PC

ORDER GRANTING EXTENSION OF
TIME TO FILE RESPONSE TO
COMPLAINT

(ECF No. 4.)

17 This is a civil action filed by Lillian Smith (“Plaintiff”), a state prisoner proceeding pro
18 se. This action was initiated by civil complaint filed by Plaintiff in the Madera County
19 Superior Court on November 18, 2016 (Case #MCV073193). On May 17, 2017, defendants C.
20 Burgdorff, J. Harry, E. Olesky, and B. Wilkins (“Defendants”) removed the case to federal
21 court by filing a Notice of Removal of Action pursuant to 28 U.S.C. § 1441(a). (ECF No. 1.)
22 On May 17, 2017, Defendants filed a motion for an extension of time to file their response to
23 Plaintiff’s complaint. (ECF No. 4.)

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) at the Central California Women’s
28 Facility in Chowchilla, California, violated her rights. Because Plaintiff is a prisoner and

1 Defendants were employees of the CDCR at a state prison when the alleged events occurred,
2 the court is required to screen the complaint.

3 Defendants request the court to allow them an extension of time to file their response to
4 Plaintiff's complaint, until thirty days after the court's screening under 28 U.S.C. § 1915A, if the
5 complaint survives the screening. Good cause appearing, Defendants' motion shall be granted.

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

- 7 1. The court shall issue a screening order in due time; and
- 8 2. Defendants are GRANTED an extension of time to file their response to
9 Plaintiff's complaint, until thirty days from the date of service of the court's
10 screening order, if the complaint survives the screening.

11 IT IS SO ORDERED.

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13 Dated: August 26, 2017

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