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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

DARREN VINCENT FORD,  
Plaintiff,  
v.  
KING, et al.,  
Defendants.

Case No. 1:17-cv-00822-DAD-BAM (PC)  
ORDER OVERRULING PLAINTIFF’S  
OBJECTIONS TO SCREENING OF FIRST  
AMENDED COMPLAINT  
(ECF No. 40)

Plaintiff Darren Vincent Ford (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed a first amended complaint on October 26, 2018. (ECF No. 34.) The first amended complaint has not yet been screened.

In response to several motions to initiate service of the complaint on the defendants, (ECF Nos. 35, 38), Plaintiff has been informed that 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 has also been informed that the Court will direct service of process only after Plaintiff’s complaint has been screened and found to state cognizable claims for relief. (ECF Nos. 36, 39.)

On December 20, 2018, Plaintiff filed an objection to the Court’s screening of the amended complaint. (ECF No. 40.) Plaintiff contends that the original complaint in this action

1 was screened and accepted with merit. Therefore, Plaintiff argues that a screening of the  
2 amended complaint is an unnecessary delay. (Id.)

3 In the Court's order granting Plaintiff's eight separate motions to amend, Plaintiff was  
4 advised that his amended complaint would supersede the original complaint. (ECF No. 28, p. 5.)  
5 Thereafter, Plaintiff filed his first amended complaint, superseding the original complaint and any  
6 claims that he may have stated therein. As such, a screening of the first amended complaint  
7 remains necessary.

8 Plaintiff is reminded that the Court screens complaints in the order in which they are filed  
9 and strives to avoid delays whenever possible. However, there are hundreds of prisoner civil  
10 rights cases presently pending before the Court, and delays are inevitable. Plaintiff's first  
11 amended complaint will be screened in due course.

12 Accordingly, Plaintiff's objections to the screening of his first amended complaint, (ECF  
13 No. 40), are **HEREBY OVERRULED**.

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15 **IT IS SO ORDERED.**

16 Dated: **December 27, 2018**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE

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