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

JERRY DILLINGHAM,

 Plaintiff,

 v.

N. EMERSON, et al.,

 Defendants.

Case No. 1:18-cv-00507-AWI-SAB (PC)

**ORDER GRANTING PLAINTIFF’S MOTION
FOR ADMINISTRATIVE RELIEF**

(ECF No. 48)

Plaintiff Jerry Dillingham is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s motion for administrative relief, filed on May 10, 2019. (ECF No. 48.) In his motion, Plaintiff states that, on March 12, 2019, he submitted his objections to the undersigned’s February 12, 2019 Findings and Recommendations and consented to proceed on “the Court’s screen 2d Amended Compl. Initial & new court declared findings of additional cognizable claims against defendant Marsh, Wescoat, Jon Doe, i.e., Sgt. Loflen supervisory claim[,]” but that he has not heard from the Court since his filing. (*Id.*) Plaintiff asserts that he is worried that the Court has sent him follow-up documents, such as a ruling on his March 12, 2019 objections, that he has not received. (*Id.*) The Court interprets Plaintiff’s motion as a motion for case status.

Initially, the Court reminds Plaintiff that, generally, the Court will not respond in writing to individual inquiries regarding the status of a case. (ECF No. 23, at 3-4.) However, given the upcoming deadline for Plaintiff to file a third amended complaint if he chooses to, Plaintiff’s

1 request for a case status update is GRANTED.

2 Plaintiff is informed that, on March 18, 2019, the Court received his objections to the
3 undersigned's February 12, 2019 Findings and Recommendations recommending that certain
4 defendants and claims be dismissed for failure to state a cognizable claim. (ECF No. 46.) On
5 May 3, 2019, the District Judge issued an order adopting in full the February 12, 2019 Findings
6 and Recommendations, dismissing with prejudice Plaintiff's official capacity claim against
7 Defendant Kernan, dismissing without leave to amend Plaintiff's conspiracy and action for
8 neglect to prevent claims, and dismissing without leave to amend Plaintiff's conditions of
9 confinement claim against Defendants Ibarra, Sherman, and Kernan. (ECF No. 47.) The District
10 Judge granted Plaintiff thirty (30) days from the date of service of his order, in which to file a
11 third amended complaint that is consistent with his order and the February 12, 2019 Findings and
12 Recommendations. (Id. at 3.) If Plaintiff fails to file a third amended complaint within thirty (30)
13 days from the date of service of his order, leave to amend will be revoked without further notice
14 and the case will proceed only on the claims found to be cognizable in Plaintiff's second amended
15 complaint. (Id.) Since the District Judge's May 3, 2019 order was served on Plaintiff by mail on
16 May 3, 2019, Plaintiff currently has leave to file a third amended complaint on or before
17 Wednesday, June 5, 2019.

18 The Court has issued no other orders in Plaintiff's case. Further, so long as Plaintiff keeps
19 the Court apprised of his current address, Plaintiff will receive copies of all Court decisions which
20 might affect the status of his case. Accordingly, Plaintiff's motion for case status, (ECF No. 48),
21 is GRANTED, as set forth above.

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23 IT IS SO ORDERED.

24 Dated: May 13, 2019


UNITED STATES MAGISTRATE JUDGE

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