

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRAVIS JUSTIN CUELLAR,
Plaintiff,
v.
MADERA COUNTY SHERIFF,
Defendant.

No. 1:24-cv-01331 GSA (PC)
ORDER DISREGARDING PLAINTIFF’S
REQUEST FOR DECLARATORY
JUDGMENT AS PREMATURELY FILED
ECF No. 8

Plaintiff, a county jail inmate proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Plaintiff has filed a request for declaratory judgment against Defendant as it relates to Plaintiff’s right to file grievances; his right to petition the government; his right to access to the courts, and a number of other rights and/or entitlements. See, ECF Nos. 8 & 9. Plaintiff also filed a copy of his six-month prison trust fund account statement that he was recently ordered to file. See, ECF No. 9 at 3.

The Court notes that this matter has yet to be screened. As a result, it has yet to be determined whether Plaintiff’s complaint raises viable claims and can be served on Defendant. For these reasons, Plaintiff’s motion for declaratory relief is premature, and it will be disregarded as such.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that Plaintiff's request for declaratory judgment against Defendant (see ECF No. 8 at 1-3) is hereby DISREGARDED as PREMATURELY FILED.

IT IS SO ORDERED.

Dated: January 3, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE