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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LONNIE GLENN SCHMIDT,  
Plaintiff,  
v.  
TAN THINH, et al.,  
Defendants.

No. 2:14-cv-2868 CKD P

ORDER

Plaintiff is a county jail inmate, proceeding pro se and in forma pauperis, who seeks relief pursuant to 42 U.S.C. § 1983. On March 4, 2015, plaintiff’s complaint was dismissed with thirty days’ leave to amend. (ECF No. 8.) Plaintiff has filed an amended complaint, now before the court. (ECF No. 10.) Plaintiff has consented to Magistrate Judge jurisdiction over all proceedings in this action. (ECF No. 11.)

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). The court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally “frivolous or malicious,” that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1), (2).

Having reviewed the amended complaint, the undersigned concludes that it fails to cure the defects of the original complaint as discussed in the March 4, 2015 screening order. Because

1 it appears that another round of amendment would be futile, the undersigned will dismiss this  
2 action for seeking monetary damages from defendants immune from such relief.

3 Accordingly, IT IS HEREBY ORDERED that this action is dismissed pursuant to 28  
4 U.S.C. § 1915A(b)(2).

5 Dated: April 14, 2015



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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