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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TORIBIO MENDOZA,

Plaintiff,

v.

SPADARO,

Defendant.

No. 2:16-cv-0855 CKD P

ORDER

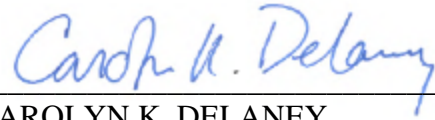
Plaintiff is a California prisoner proceeding pro se with an action for violation of civil rights under 42 U.S.C. § 1983. In a document filed October 24, 2016, plaintiff seeks leave to file an amended complaint so that he can name “John Doe” defendants. This is not an adequate basis for granting leave to amend as the court cannot order “John Doe” defendants served with process. If and when plaintiff can identify other defendants by name, he should draft a proposed amended complaint including such defendants and submit it to the court with a motion for leave to amend.

Plaintiff also seeks a court order directing High Desert State Prison to identify “those involved or witnesses, of those involved on April 9th, 2015 during a man-down medical emergency and to immediately halt the ‘Code of Silence.’” The court does not have the authority to do this. After discovery opens, plaintiff may seek relevant information from defendants and may also seek relevant information from third parties via subpoena. A discovery order identifying the various methods of discovery and deadlines for conducting discovery will issue if

1 and when defendants file an answer.

2 Accordingly, IT IS HEREBY ORDERED that the requests made by plaintiff in the
3 document filed October 24, 2016 are denied.

4 Dated: October 28, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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