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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

TIENKHAM SINGANONH,
Plaintiff,
v.
K. LANGSLET, et al.,
Defendants.

No. 2:18-CV-0159-WBS-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s motion for summary judgment (ECF No. 29).

Plaintiff’s motion is premature. The court authorized service of this action on defendants on April 22, 2019. See ECF No. 21. Plaintiff submitted documents necessary for service of process by the United States Marshal on June 28, 2019. See ECF No. 25. The court directed service by the United States Marshal on July 11, 2019. See ECF No. 27. To date, defendants have not been served. Because no defendants have been served or have appeared, the case is not yet at issue. At the current pleading stage of the litigation, motions for summary judgment are premature. The parties will be provided an opportunity to file pre-trial dispositive motions at a later stage of the case following the close of discovery.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for summary judgment (ECF No. 29) is stricken as premature and the Clerk of the Court is directed to terminate the filing as a pending motion.

Dated: September 6, 2019



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE