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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

JESSE ARON ROSS,

Plaintiff,

v.

BRIAN SANDOVAL et al.,

Defendants.

Case No. 2:17-cv-02386-APG-GWF

ORDER

I. DISCUSSION

On December 4, 2017, this Court entered a screening order which granted Plaintiff thirty (30) days to file a second amended complaint. (ECF No. 9 at 24). The screening order stated that, if Plaintiff chose to file a second amended complaint, the Court would screen the second amended complaint in a separate screening order. (*Id.* at 25). The screening order noted that the screening process would take several months. (*Id.*) The screening order stated that, if Plaintiff chose not to file a second amended complaint, the action would immediately proceed on Counts V and VIII (conditions of confinement violations) against Owens, Williams, Russell, and Byrne; Count VI (state law claim) against Owens, Williams, Russell, and Byrne; Count VII (state law claim) against Defendants Owens, Williams, Russell, and Byrne; Count XV (free exercise, RLUIPA, and equal protection violations) against Caldryn and Williams; and Count XVII (deliberate indifference to serious dental needs) against Magapah, Torress, Russell, Jane Doe #1, and John Doe #1-A (when Plaintiff learned their identities). (*Id.*)

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On December 18, 2017, Plaintiff filed a motion to defer filing an amended complaint until after the conclusion of mediation. (ECF No. 15). Plaintiff also filed a motion for reconsideration on the screening order dismissing Counts XIII and XIV of the first amended complaint. (ECF No. 16). On January 8, 2018, Plaintiff filed a second amended complaint. (ECF No. 19).

The Court now denies the motion for reconsideration (ECF No. 16) as moot. In light of Plaintiff's second amended complaint, the first amended complaint is no longer operative. The Court will screen the claims in Plaintiff's second amended complaint and issue a separate screening order. The screening process will take several months.


The Court also denies the motion to defer filing an amended complaint until after mediation (ECF No. 15) in light of Plaintiff's second amended complaint.

II. CONCLUSION

For the foregoing reasons, it is ordered that the motion to defer filing an amended complaint (ECF No. 15) is denied.

It is further ordered that the motion for reconsideration (ECF No. 16) is denied as moot.

Dated: January 11, 2018.


UNITED STATES DISTRICT JUDGE