

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

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES ATKINS,)
)
 Plaintiff,)
 vs.)
 BRIAN E. WILLIAMS, SR. *et al.*,)
 Defendants.)
 _____)

3:12-cv-00288-LRH-WGC

ORDER

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. On September 26, 2012, the court issued a screening order directing plaintiff to conduct limited discovery to ascertain the identity of his John Doe defendant and then to file a second amended complaint naming that defendant (ECF #6). Plaintiff filed a notice of appeal (ECF #9). On November 9, 2012, the Ninth Circuit Court of Appeals dismissed his appeal for lack of jurisdiction (ECF #12), and the order on mandate was entered on December 7, 2012 (ECF #14).

On January 28, 2013, the court denied plaintiff’s motion for counsel and directed plaintiff to, within thirty (30) days, serve limited discovery requests on defendants in accordance with this court’s screening order dated September 26, 2012 (ECF #6). On April 3, 2013, attorney Karlon J. Kidder entered an appearance on behalf of plaintiff (ECF #16). To date, plaintiff has not filed a second

1 amended complaint nor responded to the court's order dated January 28, 2013 in any manner.
2 Accordingly, plaintiff, through his counsel, is directed to file a report within fifteen (15) days of the date
3 of this order apprising the court of the status of this action, including whether any interrogatories have
4 been served and any responses received and whether plaintiff intends to proceed with this action.

5 **IT IS THEREFORE ORDERED** that within **fifteen (15) days** of the date this order is entered,
6 plaintiff **SHALL FILE** report indicating the status of this action in conformance with this order.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

DATED this 30th day of July, 2013.

William J. Cobb

UNITED STATES MAGISTRATE JUDGE