



(PC) Reid v. United States of America et al

2016 | Cited 0 times | E.D. California | March 31, 2016

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

GORDON C. REID,

Plaintiff, v. UNITED STATES OF AMERICA, et al.,

Defendants.

CASE NO. 1:14-cv-01163-LJO-MJS (PC) ORDER DENYING MOTION TO EXPEDITE INITIAL SCREENING (ECF No. 39)

Plaintiff is a federal prisoner proceeding pro se and in forma pauperis in this civil rights and tort action brought pursuant to *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971) and the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671-2680.

Plaintiff initiated this action on July 25, 2014. (ECF No. 1.) His complaint was screened four months later on November 24, 2014. (ECF No. 13.) The Court concluded that Plaintiff failed to state a claim and he was given leave to amend. (*Id.*) Thereafter, Plaintiff filed several motions for extensions of time (ECF Nos. 14, 15, 19), a variety of other motions (ECF Nos. 16, 17, 18), and a baseless interlocutory appeal (ECF No. 20).

outstanding motions were resolved on April 27 and May 12, 2015, respectively (ECF Nos. 24, 25). Plaintiff was ordered to file an amended complaint and did so on June 24, 2015. (ECF No. 28.) The first amended complaint was screened promptly on July 28, 2015, just over one month later. (ECF No. 31.) Plaintiff was ordered to file an amended complaint or notify the Court of his willingness to proceed only on claims found to be cognizable.

Plaintiff instead filed multiple motions for extensions of time (ECF Nos. 32, 35, 37) and, ultimately, on October 26, 2015, a motion for reconsideration by the District Judge (ECF No. 38). remains pending before the District Judge and will be addressed in due course.

Court. Delays in moving this case past the screening stage are attributable for the most part appeal. As Plaintiff previously was informed (ECF No. 24), the Fresno Division of the



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United States District Court for the Eastern District of California carries one of the busiest dockets in the country. ofore promptly been addressed. The Court will endeavor to continue to do so. At the present time, however, there is no pleading for the Court to screen and Plaintiff must await disposition of his motion for reconsideration by the District Judge.

IT IS SO ORDERED.

Dated: March 31, 2016 /s/ Michael J. Seng UNITED STATES MAGISTRATE JUDGE

