

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Thomas H. Goss v. County of Fresno

Goss v. County of Fresno · No. 1:24-cv-00698-KES-BAM (PC) · Decided September 16, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered Fresno County to file a response to Thomas H. Goss's civil rights complaint within 21 days. The action proceeds under 42 U.S.C. § 1983 based on an alleged Fourteenth Amendment violation after the court denied the County's motion to dismiss.

OPINION

1 2 3 4 5 UNITED STATES DISTRICT COURT 6 EASTERN DISTRICT OF CALIFORNIA 7 8
THOMAS H. GOSS, Case No. 1:24-cv-00698-KES-BAM (PC) 9 Plaintiff, ORDER FOR
DEFENDANT TO FILE RESPONSE TO THE COMPLAINT WITHIN 10 v. TWENTY-ONE
(21) DAYS 11 COUNTY OF FRESNO, 12 Defendants. 13 14 Plaintiff Thoms H. Goss is a civil
detainee proceeding pro se and in forma pauperis in this 15 civil rights action pursuant to 42
U.S.C. § 1983.

Individuals detained pursuant to California 16 Welfare and Institutions Code § 6600 et seq. are
civil detainees and are not prisoners within the 17 meaning of the Prison Litigation Reform Act.
Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 18 2000). 19 Following the District Judge's order
adopting the findings and recommendations and 20 denying Defendant County of Fresno's
("Defendant") motion to dismiss, this action proceeds on 21 Plaintiff's complaint against
Defendant for violation of the Fourteenth Amendment.

(ECF No. 7.) 22 Accordingly, Defendant is HEREBY ORDERED to file a response to the
complaint 23 within twenty-one (21) days from the date of service of this order. 24 IT IS SO
ORDERED. 25 26 Dated: September 16, 2025 /s/ Barbara A. McAuliffe _ UNITED STATES
MAGISTRATE JUDGE 27 28