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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KEVIN JONES,

Plaintiff,

v.

M. PALOMBO, et al.,

Defendants.

CASE NO. 1:07-cv-01788-OWW-GSA PC

ORDER DIRECTING PLAINTIFF TO ADVISE WHETHER HE IS IN POSSESSION OF HIS LEGAL PROPERTY, AND IF NOT, TO OUTLINE WHICH DOCUMENTS HE NEEDS TO BE ABLE TO FORMULATE OBJECTIONS, IF ANY, TO THE FINDINGS AND RECOMMENDATIONS ON THE PARTIES' MOTIONS FOR SUMMARY JUDGMENT

_____ /
This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Kevin Jones, a state prisoner proceeding pro se and in forma pauperis. Pending before the Court is Defendants' Motion for Summary Judgment, filed June 29, 2009, and Plaintiff's Cross-Motion for Summary Judgment, filed July 30, 2009, Fed. R. Civ. P. 56. On February 8, 2010, Plaintiff filed a motion stating that he lost possession of his personal property on December 12, 2009. Despite having been granted an extension of time to file his objections and defense counsel having been directed to facilitate Plaintiff's access to his personal property (Doc. 45), Plaintiff filed a motion which the Court read as seeking further extension on the basis that he had not obtained his property so as to be able to respond to the Magistrate Judge's Findings and Recommendations on the parties' motions for summary judgment (Doc. 48). The Court issued an order denying Plaintiff's motion for return of his property and granting a forty-five day extension of time for Plaintiff to file objections to the Findings and Recommendations on the parties' motions for summary judgment, and directing defense counsel to advise as to steps taken, and the results thereof, to facilitate Plaintiff's limited

1 access to his legal materials. (Doc. 49.) Defendants responded with a statement of efforts taken;
2 stated that they had ceased such efforts as they interpreted Plaintiff's motion to indicate that he was
3 already in possession of his desired property; and requested that Plaintiff be ordered to advise
4 whether he still needs additional legal property to formulate objections, and if so, for Plaintiff to
5 outline what specific documents are needed to complete his objections. (Doc. 50.)

6 Accordingly, IT IS HEREBY ORDERED that Plaintiff is directed to advise the Court within
7 fifteen (15) days from the date of service of this order to state: (1) whether he still needs additional
8 legal property to formulate objections to the Findings and Recommendations on the parties' motions
9 for summary judgment; and (2) if so, to outline the specific documents that he needs to complete his
10 objections.

11
12 IT IS SO ORDERED.

13 **Dated: March 29, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE