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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Adrien Joshua Espinoza,

Plaintiff,

v.

Unknown Stevens, et al.,

Defendants.

No. CV-16-00561-TUC-DCB

ORDER

Defendants' Motion for Summary Judgment was filed on March 12, 2019. Plaintiff was granted an extension of time to file the Response because he was on mental health watch. The Court had to issue a directive to the Warden at ASPC to make paper, pencil, and legal materials available for a minimum of 30 days for three hours per week during the mental health watch to enable the Plaintiff to prepare his response. On June 3, 2019, the Plaintiff filed a Response and Statement of Facts. On June 18, 2019, Defendants filed a Reply. The Motion for Summary Judgment is fully briefed and ready for disposition.

On June 3, 2019, Plaintiff filed a Notice and Motion for Copies and Motion for Extension of 24 hours related to his needing copies before he could file his Response. On June 25, 2019, Plaintiff filed a Motion to Stay and Notice of Change of Address and a Notice that Defendants are hindering his litigation. Plaintiff complains that he was unable to obtain copies of his Response and had to file original documents and that he is having difficulty getting the prison librarian to copy documents he needs to file in his various cases, including this one, and that he is at risk of missing important filing deadlines.

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The Court notes that this case has a fully briefed dispositive motion pending and ready for a ruling. The Court denies the stay. The Court orders the Defendants to either show proof that Plaintiff has been provided copies of the filings in this case, including: Response (Doc. 57), Statement of Facts (Doc. 58), Reply (Doc. 59), Motion to Stay and Notice of Change of Address (Doc. 61), Notice electronic filing (Doc. 62), Notice of Defendants' [] Hindering Litigation (Doc. 60), and all attachments. If Plaintiff has not been provided copies of any of these documents, the Defendants shall provide them to the Plaintiff with proof of service.

Accordingly,

IT IS ORDERED that the Motion to Stay (Doc. 61) is DENIED.

IT IS FURTHER ORDERED that the Motion for Copies (Doc. 56) is GRANTED as described above.

IT IS FURTHER ORDERED that the Motion for Extension of Time to File (Doc. 55) is MOOT.

IT IS FURTHER ORDERED that the Motion for Summary Judgment is taken under advisement.

Dated this 5th day of July, 2019.

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Honorable David C. Bury United States District Judge