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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
8	EASTERN DI	STRICT OF CALIFORNIA
9	DAVID MAURICE GOMEZ,	Case No.: 1:03-cv-06290 DLB PC
10	Plaintiff,	ORDER RE MOTION TO BE PLACED ON SUICIDE WATCH
11		(Doc. 206)
12	A. K. SCRIBNER, et al.,	
13	Defendants.	
14 15		
15	/	
17	Plaintiff David Maurice Gomez ("plaintiff") is proceeding pro se in this civil rights action	
18	pursuant to 42 U.S.C. § 1983. This action is proceeding on plaintiff's amended complaint, filed	
19	October 21, 2003, against defendants Saddi, Bailey and German for failure to protect, in violation	
20	of the Eighth Amendment.	
21	On April 22, 2009, this Court issued an order vacating the trial date of May 5, 2009. (Doc.	
22	203). Now pending before the Court is Plaintiff's motion, dated April 21, 2009 and filed April 27,	
23	2009, regarding Plaintiff's housing while attending trial. (Doc. 206). Although Defendants have	
24	not yet filed a response to the motion, the Court shall address Plaintiff's concerns as there does not	
25	appear to be any harm to Defendants by the Court's ruling.	
26	Plaintiff is currently incarcerated at Salinas Valley State Prison. Plaintiff states that due to	
27	his mental health status and abuses allegedly suffered while previously incarcerated at California	
28	State Prison - Corcoran ("CSP-Corcoran"), Plaintiff requests that he be housed in the mental health	

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1 crisis unit on suicide watch when he is transferred to CSP - Corcoran to attend trial in this matter.

It appears that at the time of filing the motion, Plaintiff had not yet received the Court's order
vacating the trial date. The trial date of May 5, 2009 has been vacated. The order and writ of habeas
corpus ad testificandum commanding the attendance of Plaintiff at trial has also been vacated by
court order, a copy of which was sent to Salinas Valley State Prison. There is no indication that
Plaintiff will be transferred to CSP-Corcoran.

Plaintiff may re-file his motion if and when this matter is reset for trial. Based on the foregoing, Plaintiff's motion, filed April 27, 2009, is disregarded as premature.

IT IS SO ORDERED.

Dated: April 30, 2009

/s/ Dennis L. Beck UNITED STATES MAGISTRATE JUDGE