

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

BOBBY LEE,		CASE NO. 1:05-cv-00802-LJO-BAM PC
	Plaintiff,	ORDER REQUIRING DEFENDANT WAGNER TO SUBMIT DOCUMENTS (ECF No. 78)
v.		
A. K. SCRIBNER, et al.,		SEVEN-DAY DEADLINE
	Defendants.	

\_\_\_\_\_ /

Plaintiff Bobby Lee (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s second amended complaint against Defendant Wagner for deliberate indifference to medical needs in violation of the Eighth Amendment.

On July 2, 2012, Defendant Wagner filed a motion for summary judgment. (ECF No. 77.) Defendant Wagner also filed a notice of submission of documents under seal. (ECF No. 78.) The documents are described as excerpts from Plaintiff’s medical records and are referenced as Exhibit D to Defendant’s motion for summary judgment. The Court does not have any record of receiving the submitted documents. Accordingly, Defendant is **HEREBY ORDERED** to submit the excerpts from Plaintiff’s medical records, which are referenced as Exhibit D to the summary judgment motion, within **seven (7) days** after service of this order.

IT IS SO ORDERED.

**Dated: February 27, 2013**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE