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3 **UNITED STATES DISTRICT COURT**

4 EASTERN DISTRICT OF CALIFORNIA

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8 EMELITO EXMUNDO, ) 1:06cv00205 AWI DLB PC  
9 Plaintiff, )  
10 vs. ) ORDER DENYING PLAINTIFF’S MOTION  
11 BELL, et al., ) REGARDING HOUSING ASSIGNMENTS  
12 Defendants. ) (Document 130)

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14 Plaintiff Emelito Exmundo (“Plaintiff”) is a state prisoner proceeding pro se and in forma  
15 pauperis in this civil rights action. The action is currently awaiting assignment of a trial date.

16 On March 24, 2014, Plaintiff filed a motion requesting that neither he, nor his trial  
17 witnesses, be housed at Corcoran State Prison during transport to and from trial. He states that  
18 he was housed at Corcoran during transport for his June 2013 settlement conference and was  
19 treated “horribly.”

20 The Court does not have jurisdiction to dictate Plaintiff’s housing assignment during  
21 transport to and from Court. Housing decisions are in the sole discretion of the California  
22 Department of Corrections and Rehabilitation. Accordingly, Plaintiff’s motion is DENIED.

23  
24 IT IS SO ORDERED.

25 Dated: April 1, 2014

26 /s/ Dennis L. Beck  
27 UNITED STATES MAGISTRATE JUDGE