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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDWARD DEMERSON,

Plaintiff,

v.

WARDEN OF SATF, et al.,

Defendants.

CASE NO. 1:06-cv-00250-LJO-SKO PC

ORDER DENYING MOTION FOR RELEASE
OF LEGAL PROPERTY

(Doc. 99)

Plaintiff Edward Demerson, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 6, 2006. This action is proceeding on Plaintiff’s second amended complaint against Defendants Curtiss, Renya, Reynoso, and Morgan for violation of the Eighth Amendment.

On July 29, 2011, Plaintiff filed a motion seeking the release of his legal property so that he may comply with court deadlines.

The pendency of this action does not give the Court jurisdiction over prison officials at Salinas Valley State Prison or over Plaintiff’s property issues. Summers v. Earth Island Institute, 129 S.Ct. 1142, 1148-49 (2009); Mayfield v. United States, 599 F.3d 964, 969 (9th Cir. 2010). The Court’s jurisdiction is limited to the parties in this action and to the viable legal claims upon which this action is proceeding. Summers, 129 S.Ct. at 1148-49; Mayfield, 599 F.3d at 969. Therefore, Plaintiff’s motion must be denied. Further, because Plaintiff is not currently subject to any deadlines in this action, an extension of time is unnecessary.

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1 Based on the foregoing, Plaintiff's motion for the release of his legal property is HEREBY
2 DENIED.

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4 IT IS SO ORDERED.

5 **Dated: August 8, 2011**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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