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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARRISON S. JOHNSON,

Plaintiff,

Case No. 1:06-cv-01089 ALA (P)

vs.

W. J. SULLIVAN, et al.,

Defendants.

ORDER

_____/

Plaintiff Garrison S. Johnson, a state prisoner in this civil rights action filed pursuant to 42 U.S.C. § 1983, was appointed counsel by the Court on August 26, 2008. (Doc. 112). Two motions (doc. 163, 164) are pending before the Court concerning the injunction issued by the Court in its order of December 23, 2008. (Doc. 154). The Court will rule on those motions when briefing has been completed.

The Court’s injunction ordered Defendant Gonzales to provide Plaintiff with a weekly telephone call with his counsel, effective “immediately upon Mr. Johnson’s transfer back to CCI - Tehachapi from DVI.” *Id.* On December 31, 2008, Defendants filed a notice indicating that Mr. Johnson had returned to CCI - Tehachapi as of December 31, 2008. (Doc. 157). In his motion for sanctions filed today, (doc. 164) Plaintiff has informed the Court that Defendant

1 Gonzales has failed to comply with the Court's injunction by failing to provide Mr. Johnson with
2 access to a telephone for a weekly phone call with his counsel as order by the Court. (Doc. 154).

3 Notwithstanding the motions pending before the Court concerning the injunction issued
4 on December 23, 2008, which the Court will rule on in due course, the Court hereby ORDERS
5 Defendant Gonzales to arrange for Plaintiff to speak to his counsel by telephone, on or before
6 Tuesday, January 13, 2009, so that counsel can prepare their client for his upcoming deposition
7 scheduled for January 15, 2009. Plaintiff shall have up to but no more than three (3) hours for
8 the scheduled telephone call, and the call shall take place no later than Tuesday, January 13,
9 2009 at 5 p.m. Failure to comply with this order will result in immediate sanctions.

10 IT IS SO ORDERED.

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12 DATED: January 9, 2009

13 /s/ Arthur L. Alarcón
14 UNITED STATES CIRCUIT JUDGE
15 Sitting by Designation
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