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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ROBERT P. BENYAMINI,  
Plaintiff,  
vs.  
MANJUANO, et al.,  
Defendants.

1:06-cv-01096-AWI-GSA-PC  
ORDER DENYING PLAINTIFF'S  
MOTION FOR THE COURT TO  
PROVIDE HIM TRANSPORTATION  
  
(Doc. 86.)

Robert P. Benyamini ("Plaintiff") is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on August 21, 2006. This action now proceeds on Plaintiff's Third Amended Complaint filed on May 23, 2008, against defendants Wilkerson, Manjuano, Wilcox, and O'Grady, on Plaintiff's claims for adverse conditions of confinement under the Eighth Amendment.<sup>1</sup> On January 18, 2011, Plaintiff filed a motion for the Court to provide him transportation to attend a hearing on January 21, 2011. (Doc. 86.)

Plaintiff states that he received a letter from a legal service requiring him to appear on January 21, 2011 at a location on University Avenue in Sacramento. Plaintiff requests the Court to arrange for his transportation to and from the hearing.

The Court has not received notice of any hearing or meeting scheduled in this action. From the information provided by Plaintiff, it appears that counsel for defendant Manjuano may have sent Plaintiff

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<sup>1</sup>All other claims and defendants were dismissed from this action by the Court on May 26, 2009, for failure to state a claim. (Doc. 52.)

1 a request to appear for his deposition. Plaintiff is presently incarcerated at the California State Prison-  
2 Sacramento in Represa, California. Ordinarily, in a case such as Plaintiff's, counsel for defendants  
3 arranges to take depositions at the prison where the plaintiff is incarcerated. In prisoner civil rights  
4 cases, barring unusual circumstances not present here, the Court does not arrange for the Plaintiff's  
5 transportation except to attend a Court hearing or trial.

6 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for the Court to provide  
7 transportation for Plaintiff to attend a hearing scheduled on January 21, 2011, is DENIED.

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IT IS SO ORDERED.

**Dated: January 20, 2011**

**/s/ Gary S. Austin**  
**UNITED STATES MAGISTRATE JUDGE**