

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

GEORGE N. ALLEN,  
Plaintiff,

v.

STEPHEN MAYBERG, et al.,  
Defendants.

Case No. 1:06-CV-01801-BLW-LMB  
(lead)

**ORDER**

RICK GONZALES,  
Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
MENTAL HEALTH, et al.,  
Defendants.

No. 1:07-CV-00427-BLW

**ORDER- 1**

RAYMOND AMADEO,

Plaintiff,

v.

STEPHEN MAYBERG, et al.,

Defendants.

No. 1:07-CV-00834-BLW

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MANSFIELD R. BROWN,

Plaintiff,

v.

STEPHEN MAYBERG, et al.,

Defendants.

No. 1:07-CV-00849-BLW

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WAYNE P. DeBERRY,

Plaintiff,

v.

STEPHEN MAYBERG, et al.,

Defendants.

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No. 1:07-CV-00850-BLW

HENRY C. SCOTT,

Plaintiff,

v.

STEPHEN MAYBERG, et al.,

Defendants.

No. 1:07-CV-000897-BLW

LAWRENCE SMITH,

Plaintiff,

v.

STEPHEN MAYBERG, et al.,

Defendants.

No. 1:07-CV-00913-BLW

FRED SCOTT,

Plaintiff,

v.

STEPHEN MAYBERG,

Defendants.

No. 1:07-CV-00985-BLW

HAROLD E. CARMONY,  
Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
MENTAL HEALTH, et al.,  
Defendants.

No. 1:07-cv-01558-BLW

ELDRIDGE CHANEY,  
Plaintiff,

v.

STEPHEN MAYBERG,  
Defendants.

No. 1:08-CV-01196-BLW

JACKIE ROBINSON,  
Plaintiff,

v.

MIRIAM JOYA, et al.,  
Defendants.

No. 1:08-CV-1339-JLS-BLM

DARRYELL FRAZIER,

Plaintiff,

v.

PAM AHLIN, et al.,

Defendants.

No. 1:09-CV-02153-DLB

LAWTIS DONALD RHODEN,

Plaintiff,

v.

STEPHEN MAYBERG, et al.,

Defendants.

No. 1:09-CV-01890-DLB

The Legal Clinic of the University of Idaho Law School has graciously agreed to accept an appointment to represent or provide legal advice as stand-by counsel to Plaintiffs in this case for the purpose of the Triage Conference. Plaintiffs and counsel shall work together to determine the scope of the appointment. Plaintiffs shall not contact counsel, but shall wait to be contacted by counsel.

Counsel are notified that they may take advantage of the benefits offered through the Idaho State Bar Volunteer Lawyers' Program. The Federal Court Pro Se Pro Bono Program cost reimbursement fund is also available to counsel; if costs are later recovered from Defendants, then counsel has an obligation to reimburse the program. Any

questions regarding this appointment may be directed to the Pro Se Office, at (208) 334-1172.

Plaintiffs Darryell Frazier and Lawtis Donald Rhoden have filed emergency Motions for Temporary Restraining Orders or Preliminary Injunctions to prevent Defendants from implementing a new regulation that would designate all “smart devices,” such as laptop computers and PSP gaming systems, as “contraband.” (Dkt. 61 & 63.) The new regulation is scheduled to be implemented on November 4, 2010. The Court previously ordered the parties to review this issue--which was the subject matter of several prior temporary restraining order requests--during the Triage Conference, to be held no later than December 22, 2010. Plaintiffs allege that Defendants are acting in bad faith by implementing the new regulation prior to the Triage Conference.

Having considered the foregoing, the Court issues the following Order.

### **ORDER**

#### **IT IS ORDERED:**

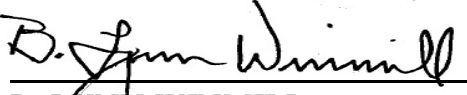
1. Maureen Laflin and Patrick Costello of the University of Idaho College of Law Legal Clinic are hereby appointed to represent Plaintiffs.
2. Plaintiffs shall not contact counsel, but shall wait to be contacted by counsel.
3. The Clerk of Court shall send a copy of this Order to Maureen Laflin and Patrick Costello at their registered ECF addresses. However, if they have not yet set up their accounts, the Clerk shall fax the Order copy to (208)

885-4628.

4. Counsel for the parties shall participate in a telephone conference to attempt to resolve this issue with Judge David O. Carter on **October 28, 2010, at 7:30 a.m. (PST)**. Counsel for Defendants are responsible for setting up a conference call with Plaintiff's counsel and the Court to telephone number (714) 338-4545.
5. If the parties are unable to resolve the issue in a satisfactory manner pending the Triage Conference, Defendants shall file a response to the pending Motions (Dkt. 61 & 63) no later than **October 29, 2010**.
5. A copy of this Order shall be sent to Judge David O. Carter.
6. Plaintiff Darryell Frazier's Motion to Proceed in Forma Pauperis (Dkt. 60) is GRANTED.

DATED: **October 14, 2010**



  
B. LYNN WINMILL  
Chief Judge  
United States District Court