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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARK S. SOLKOLSKY,)	1:07-cv-00613-OWW-SMS-PC
)	
Plaintiff,)	ORDER DENYING PLAINTIFF'S
)	REQUEST TO CORRECT SECOND
vs.)	INFORMATIONAL ORDER
)	
W. T. VOSS, et al.,)	(Doc. 21.)
)	
Defendants.)	
)	

Plaintiff, Mark S. Solkolsky ("plaintiff") is a civil detainee proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.¹ Plaintiff filed the complaint that commenced this action on April 23, 2007. (Doc. 1) On May 5, 2008, Plaintiff filed a Second Amended Complaint upon which this action now proceeds. (Doc. 4.) On May 27, 2009, the court issued a Second Informational Order. (Doc. 19-1.) On June 3, 2009, plaintiff filed a request for correction of the court's Second Informational Order. (Doc. 21.)

Plaintiff requests the court to correct the Second Informational Order issued in this action, to reflect the fact that plaintiff is not a prisoner to whom the Prison Litigation Reform Act ("PLRA")

¹Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

1 applies. Plaintiff also takes issue with the portion of the Order which addresses the requirement to
2 exhaust administrative remedies, a requirement which does not apply to plaintiff because he is not
3 subject to the PLRA.

4 The court's Second Informational Order is regularly issued in cases in which one of the parties
5 is detained in a state or federal prison, county jail or other correctional facility, state hospital, or other
6 facility. The purpose of the Order is to inform the parties of some of the rules or procedures which may
7 apply to the litigation of their action. The court does not expect that all of the information in the Order
8 will apply to every case and every litigant. For example, the Order addresses a plaintiff's rights in
9 defending against a motion to dismiss or motion for summary judgment. Such information is directed
10 to plaintiffs, not defendants, although the Second Informational Order is served on all parties to the
11 action. Moreover, every plaintiff will not be faced with a motion to dismiss or motion for summary
12 judgment. The parties are free to disregard any particular information in the Second Informational Order
13 they judge to be inapplicable to their individual situation.

14 Accordingly, based on the foregoing, IT IS HEREBY ORDERED that plaintiff's request for
15 correction of the court's Second Informational Order is DENIED.

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17 IT IS SO ORDERED.

18 **Dated:** October 5, 2009

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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