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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GEORGE H. ROBINSON,

CASE NO. 1:08-cv-01380-AWI-SMS PC

Plaintiff,

ORDER RE *IN CAMERA* REVIEW

v.

D. ADAMS, et al.,

THIRTY-DAY DEADLINE

Defendants.

Plaintiff George H. Robinson (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On May 27, 2011, an order issued granting in part and denying in part Plaintiff’s motion to compel. (ECF No. 109.) In the order Defendants were ordered to produce documents that they claimed were entitled to protection or where disclosure would jeopardize the security and safety of the institution to the Court for *in camera* review. Pursuant to the order granting in part Plaintiff’s motion to compel, Defendants have submitted documents for *in camera* review.

The undersigned has reviewed the documents submitted and has considered Defendants argument that the documents are entitled to protection and request for thirty days to notify named inmates if any personal information is ordered produced as required by California Civil Code Section 1798.24.¹ While Defendants objected that the documents are entitled to protection, a motion for a

¹“No agency may disclose any personal information in a manner that would link the information disclosed to the individual to whom it pertains unless the information is disclosed as follows: . . . To any person pursuant to a subpoena, court order, or other compulsory legal process if, before the disclosure, the agency reasonably attempts to notify the individual to whom the record pertains, and if the notification is not prohibited by law” Cal. Civ.

1 protective order has not been filed with the Court. By this order the Court is providing the parties
2 with the findings and intended final rulings. The Court will allow the parties thirty days in which
3 to file a motion for a protective order and proposed protective order if one is desired. Additionally
4 this will allow Defendants the thirty days requested to notify inmates that their information shall be
5 provided to Plaintiff.

6 Employee Training Records

7 The Court finds that the records do not contain information that would jeopardize the safety
8 or security of the institution. These records may contain some personal information that is entitled
9 to protection, therefore the Court intends to order the employee training records to be produced with
10 any indicia of personal information, other than the employee name, redacted.

11 Personnel Records

12 The personnel records that have been submitted for *in camera* review contain some relevant
13 and some irrelevant records. Included with the records produced are leave records. The leave
14 records are irrelevant and will not be ordered to be produced. However, the remaining records are
15 potentially relevant. The Court intends to order the personnel records to be produced, with any
16 indicia of personal information, other than the employee name, redacted.

17 Incident Report Package Tracking Log

18 In the order previously issued Defendants were ordered to produce “any and all information
19 regarding allegations of the use of unreasonable or excessive force between January 22, 2005 and
20 January 22, 2009, *as to any prisoner complainant*, for each defendant in this action.” (Order
21 Granting in Part and Denying in Part Plaintiff’s Motion to Compel 18:27-19:1, ECF No. 109.) The
22 Court finds that the incidents documented in the 2009 Incident Report Tracking Log, which occurred
23 two or more years after the incident alleged in this action are too remote to be relevant. Accordingly,
24 the 2009 Incident Report shall not be ordered produced.

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26
27 Code § 1798.24(k). Personal information is defined as “any information that is maintained by an agency that
28 identifies or describes an individual, including, but not limited to, his or her name, social security number, physical
description” Cal. Civ. Code § 1798.3

