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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LOUIS BRANCH,  
  
Plaintiff,  
  
v.  
  
D. UMPHENOUR, et al.,  
  
Defendants.

Case No. 1:08-cv-01655-SAB (PC)  
  
ORDER DENYING PLAINTIFF’S  
REQUEST FOR NINTH CIRCUIT JURY  
INSTRUCTIONS AND DIRECTING THE  
CLERK OF THE COURT TO PROVIDE  
PLAINTIFF WITH JURY INSTRUCTION  
PROCEDURES IN JUDGE BOONE’S  
COURTROOM  
  
(ECF Nos. 268, 269)

This action is set for trial on January 20, 2017, before the undersigned. On December 21, 2016, Plaintiff filed a request for the Ninth Circuit Jury Instructions and a request for the procedures for selecting a jury and exercise of preemptory challenges.

Plaintiff requests that he be provided with the Ninth Circuit Model Jury Instructions so that he can comply with the pretrial order. (ECF No. 268.) The Court does not provide copies of the Ninth Circuit Model Jury Instructions to parties. Plaintiff should be able to obtain the Ninth Circuit Jury Instructions through the law library at the institution in which he is incarcerated. However, Plaintiff is advised that in civil rights actions in which the plaintiff is proceeding pro se, the Court has standard jury instructions that are used in the action. Since Plaintiff is proceeding pro se the Court will provide the jury instructions to be used in this action. Plaintiff will be provided with the Court’s proposed jury instructions on the first day of trial and will have the opportunity to review and object to any substantive instructions prior to them being given to the jury. Accordingly, Plaintiff’s request for the Ninth Circuit Model Jury Instructions is denied.

Plaintiff also requests that the Court provide the procedures for the selection of a jury and

1 the exercise of preemptory challenges. The Court shall have the Clerk of the Court provide a  
2 copy of the Court's jury selection procedures.

3 Based on the foregoing, IT IS HEREBY ORDERED that:

- 4 1. Plaintiff's request for a copy of the Ninth Circuit Model Jury Instructions is  
5 DENIED; and
- 6 2. The Clerk of the Court is DIRECTED to provide Plaintiff with a copy of Jury  
7 Selection Procedure in Judge Boone's Courtroom.

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9 IT IS SO ORDERED.

10 Dated: December 23, 2016

  
UNITED STATES MAGISTRATE JUDGE

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