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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HAROLD WALKER,

Plaintiff,

vs.

1: 09 cv 02123 MJS PC

ORDER RE MOTION

(Doc. 8)

D. ADAMS, et al.,

Defendants.

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to magistrate judge jurisdiction pursuant to 28 U.S.C. § 636(c)(1). Pending before the court is Plaintiff's motion for a court order directing prison officials to allow Plaintiff access to the law library.

This action was initiated by civil complaint filed on December 7, 2009. Plaintiff brought the action against correctional officials employed by the California Department of Corrections and Rehabilitation (CDCR) at Wasco State Prison where he was an inmate in custody. On February 10, 2010, Plaintiff filed a single page motion asking the court to direct officials at Wasco State Prison to provide Plaintiff access to the law library so he could properly comply with a court order to file an application to proceed in forma pauperis.

1 Plaintiff's application to proceed in forma pauperis has been properly filed. There is no  
2 need for law library access to complete and submit a proper application.

3 Additionally, on April 19, 2010, Plaintiff filed a notice of change of address indicating his  
4 transfer to North Kern State Prison in Delano. When an inmate seeks injunctive or declaratory  
5 relief concerning the prison where he is incarcerated, his claims become moot when he is no  
6 longer subjected to those conditions. See Weinstein v. Bradford, 423 U.S. 147 (1975); Enrico's,  
7 Inc. v. Rice, 730 F.2d 1250, 1255 (9th Cir. 1984). Accordingly, plaintiff's request is moot.

8 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for a court order  
9 directing access to the Wasco State Prison law library is denied.

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13 IT IS SO ORDERED.

14 **Dated:** May 4, 2010

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE