

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LAMONT SHEPARD,

Plaintiff,

v.

R. PEREZ, et al.,

Defendants.

CASE NO. 1:10-cv-00023-BAM PC

ORDER GRANTING PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT COPIES (ECF No. 78)

ORDER DIRECTING CLERK’S OFFICE TO PROVIDE PLAINTIFF A COPY OF HIS MOTION FOR SUMMARY JUDGMENT

Plaintiff Lamont Shepard (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s complaint against Defendants L.A. Martinez, R. Perez, P. Garcia, J. Soto, E. De la Cruz and A Trevino for excessive force in violation of the Eighth Amendment. A telephonic trial confirmation hearing is set for March 15, 2013, and a jury trial is set for May 6, 2013.

On February 8, 2013, Plaintiff filed the instant motion requesting copies of his summary judgment motion to prepare for the upcoming proceedings. Plaintiff is advised that it is his responsibility to keep copies of any documents that he submits to the court and that he needs to take whatever steps necessary, whether it be hand copying the pleadings or planning ahead to allow himself enough time to obtain copies prior to submitting any pleadings. If Plaintiff needs additional time to obtain copies of his pleadings or exhibits, then he needs to file a motion for extension of time prior to the deadline provided by the court.

Generally, the Clerk’s Office will provide copies for Plaintiff at a cost of \$0.50 per page. The court will make an exception in this instance and will direct the Clerk’s Office to provide a copy of

1 Plaintiff's summary judgment motion and corresponding exhibits filed on February 9, 2012. (ECF
2 Nos. 37, 43.) However, Plaintiff is advised that he will be required to pay for any further copies.

3 Accordingly, IT IS HEREBY ORDERED as follows:

- 4 1. Plaintiff's motion requesting copies of his summary judgment motion is GRANTED;
- 5 and
- 6 2. The Clerk's Office is DIRECTED to mail Plaintiff a copy of his motion for summary
7 judgment and corresponding exhibits filed on February 9, 2012.

8 IT IS SO ORDERED.

9 Dated: February 14, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28