UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LAMONT SHEPARD,

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

Plaintiff,

SECOND ORDER DIRECTING CLERK'S OFFICE TO MAIL PLAINTIFF A COPY OF HIS EXHIBITS (ECF No. 43) SUBMITTED WITH HIS MOTION FOR SUMMARY JUDGMENT

R. PEREZ, et al.,

Defendants.

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 jury trial is set for May 6, 2013.

On February 8, 2013, Plaintiff filed a motion requesting copies of his summary judgment motion and exhibits. (ECF No. 78.) The Court granted Plaintiff's request on February 15, 2013, and directed the Clerk's office to mail Plaintiff a copy of his motion for summary judgment and his corresponding exhibits filed on February 9, 2012. (ECF No. 82.) During a telephonic trial confirmation hearing on March 18, 2013, Plaintiff informed the Court that he received a copy of the motion for summary judgment, but did not receive copies of his exhibits.

1	1 Upon review of the docket, it appears	that Plaintiff was not sent a copy of his exhibits.
2	Accordingly, the Clerk's office is directed to mail Plaintiff a copy of his exhibits, identified as	
3	CM/ECF No. 43, which were filed on February 9, 2012.	
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6	6 IT IS SO ORDERED.	
7	7 Dated: <u>March 19, 2013</u>	/s/ Barbara A. McAuliffe
8	8	UNITED STATES MAGISTRATE JUDGE
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