

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PASCUAL GOSSELIN,
Plaintiff,
vs.
J TILTON, et al.,
Defendants.

1:10-cv-01974-GSA-PC

ORDER GRANTING DEFENDANTS' MOTION TO FILE VIDEO

(Doc. 42.)

Pascual Gosselin (“Plaintiff”) is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on October 12, 2010. (Doc. 1.) This case now proceeds on the First Amended Complaint filed by Plaintiff on October 29, 2012, against defendants Adams, Hubach, Taber, and Latraille (“Defendants”). (Docs. 11, 12.)

On February 13, 2015, Defendants filed a motion to file a video of Plaintiff's extraction with the court. (Doc. 42.) Plaintiff has not filed an opposition.

Defendants request leave to file a copy, on compact disk, of Plaintiff's March 16, 2008 cell extraction which is at issue in this lawsuit, as evidence in support of their motion for summary judgment.¹ Defendants explain that they are unable to submit the video in electronic

¹ Defendants filed a motion for summary judgment on February 17, 2015, which is pending.

1 format for technical reasons. Defendants argue that the filing of the video will not unduly
2 prejudice Plaintiff, because Plaintiff placed the recording at issue by referring to it in the First
3 Amended Complaint, and Plaintiff was permitted to view the recording during discovery.

4 Good cause having been presented to the court, and GOOD CAUSE APPEARING
5 THEREFOR, IT IS HEREBY ORDERED that:

- 6 1. Defendants' motion for leave to file a compact disk containing the recording of
7 Plaintiff's March 16, 2008 extraction, which is at issue in this lawsuit, is
8 GRANTED; and
9 2. Defendants may file or lodge the compact disk with the Clerk of the Court.

10 IT IS SO ORDERED.
11

12 Dated: March 5, 2015

13 /s/ Gary S. Austin

14 UNITED STATES MAGISTRATE JUDGE

15
16
17
18
19
20
21
22
23
24
25
26
27
28