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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DELL PULLETT,

Plaintiff,

vs.

A. CABRERA, et al.,

Defendants.

1:10-cv-02028-AWI-GSA-PC

ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO FILE
OBJECTIONS
(Doc. 17.)

ORDER DENYING MOTION FOR COURT
ORDER DIRECTING PRISON OFFICIALS

THIRTY DAY DEADLINE TO FILE
OBJECTIONS TO FINDINGS AND
RECOMMENDATIONS

Dell Pullett ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on October 29, 2010. (Doc. 1.)

On July 1, 2013, Plaintiff filed a motion for an extension of time to file objections to the Magistrate Judge's findings and recommendations. (Doc. 17.) Good cause appearing, Plaintiff's motion for extension of time shall be granted.

Plaintiff also requests a court order directing prison officials at Corcoran State Prison (CSP) to return his legal property to him. Id. Plaintiff asserts that his personal property should have been given to him thirty days ago. Plaintiff argues that he cannot prosecute this case without his legal property and other personal property. The Court lacks jurisdiction to issue an order requiring prison officials to give Plaintiff his property, because the Court does not have

1 such a case or controversy before it in this action. See Zepeda v. United States Immigration
2 Service, 753 F.2d 719, 727 (9th Cir. 1985); City of Los Angeles v. Lyons, 461 U.S. 95, 102,
3 103 S.Ct. 1660, 1665 (1983); Valley Forge Christian Coll. v. Ams. United for Separation of
4 Church and State, Inc., 454 U.S. 464, 471, 102 S.Ct. 752, 757-58 (1982). Plaintiff's case
5 concerns claims of inadequate medical care and retaliation against him when he was
6 incarcerated at Kern Valley State Prison. Plaintiff is now housed at CSP, and an order directing
7 prison officials at CSP to act would not remedy any of the claims upon which this action
8 proceeds. Therefore, Plaintiff's motion for a court order directing prison officials to return his
9 property must be denied.

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

11 1. Plaintiff is GRANTED thirty days from the date of service of this order in which
12 to file objections to the findings and recommendations issues on May 14, 2013; and

13 2. Plaintiff's motion for a court order directing prison officials to return his
14 property to him is DENIED.

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17 IT IS SO ORDERED.

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19 Dated: July 2, 2013

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE