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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

KEVIN DARNELL BRYANT,

CASE NO. 1:11-cv-00446-LJO-BAM PC

Plaintiff,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
PLAINTIFF’S MOTION FOR A COURT ORDER  
AND DENYING PLAINTIFF’S MOTION FOR  
AN EXTENSION OF THE DISCOVERY  
DEADLINE AS A SANCTION

v.

GALLAGHER, et al.,

Defendants.

(ECF Nos. 79, 80, 81)

\_\_\_\_\_ /

Plaintiff Kevin Darnell Bryant (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 31, 2012, the Magistrate Judge filed a [Findings and Recommendations](#) herein which was served on Plaintiff and which contained notice to Plaintiff that any objection to the Findings and Recommendations was to be filed within thirty days. (ECF No. 81.) The Court has considered Plaintiff’s [Objection](#), filed November 19, 2012. (ECF No. 85.)

In his Objection, Plaintiff states that he sincerely believed that he had standing to request a court order even though he had read the two most recent orders denying him law library access prior to bringing the current motion. Plaintiff acknowledges that he received and read the prior orders informing him that he did not have standing to bring the current [Motion for a Court Order](#). The Court fails to find persuasive Plaintiff’s assertion that he believed he now had standing to bring the motion when it is based upon the same facts that he has alleged in each of his prior motions, and the

1 orders of the court have been clear in each instance that he did not have standing. (See ECF Nos.  
2 16, 20, 22, 23, 25, 30, 31, 37, 44, 58, 62.)

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a  
4 de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings  
5 and Recommendations to be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The Findings and Recommendations, filed October 31, 2012, is adopted in full;
- 8 2. Plaintiff's Motion for a Court Order for Law Library Access, filed October 26, 2012,  
9 is DENIED; and
- 10 3. As a sanction, Plaintiff's Motion for a Court Order Extending the Discovery  
11 Deadline, filed October 26, 2012, is DENIED.

12 IT IS SO ORDERED.

13 **Dated:** November 20, 2012

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE