

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERTO JUAREZ,	)	1:11-cv-00733-LJO-SMS
)	
Plaintiff,	)	ORDER FOLLOWING <i>IN CAMERA</i>
	)	REVIEW OF PLAINTIFF'S
vs.	)	PERSONNEL FILE FROM PLEASANT
	)	VALLEY STATE PRISON
CITY OF COALINGA, CHIEF CAL)	
MINOR, CALIFORNIA HIGHWAY	)	ORDER DIRECTING CLERK TO COPY
PATROL, CAPTAIN DANIEL MINOR,	)	STIPULATION AND ATTACH HERETO
et al.,	)	(Doc. 15)
)	
Defendants.	)	FURTHER ORDER FOR <i>IN CAMERA</i>
	)	REVIEW:
		Date: 9/27/11
		Time: 10:00 a.m.
		Ctrm: 8 ~ 6th Floor

Pursuant to this Court's order for production of Plaintiff's peace officer personnel file for *in camera* review and disclosure to defendants (Doc. 20), Ms. Tamara Jackson, Personnel Supervisor #1 from Pleasant Valley State Prison ("PVSP"), appeared as directed on August 24, 2011 at 10:00 a.m. with a manila folder containing what appeared to be, in the main, original documents from Plaintiff's personnel file. It became immediately apparent to the undersigned that the Court erred with the order of August 8, 2011, by not either attaching a copy of the Stipulation filed with the court on

1 July 8, 2011 (Doc. 15), or by not signing the Stipulation as was
2 originally conceived by counsel or, further, by not being more
3 descriptive and/or thorough in describing all documents sought by
4 the order of August 8, 2011. In short, the custodian/litigation
5 coordinator for PVSP took the Court *literally* at its word and
6 provided only the personnel file in which nothing regarding inmate
7 grievances, colleague/staff complaints or disputes, or professional
8 reprimands, etc., are kept. The Stipulation characterizes such
9 documents other than those having to do with the training of,
10 hiring of, evaluation of job performance of, or miscellaneous
11 personal matters of the Plaintiff as "...associated records."

12 Therefore, accepting responsibility for the incomplete
13 explanation in the Order of August 8, 2011, the Court hereby ORDERS
14 FURTHER PRODUCTION as follows:

15 1. The litigation coordinator at PVSP shall copy and mail
16 to:

17 Anthony M. Sain, Esq.
18 Manning & Kass Ellrod Ramirez Trester, LLP
19 801 South Figueroa Street, 14th Floor
Los Angeles, CA 90017

20 a copy of the nine (9) documents tabbed by this Court on August 24,
21 2011, for production. Mr. Sain shall, in turn, provide copies to
22 Plaintiff's counsel Douglas Hurt, as well as to defense counsel
23 Jill Scally, counsel for Defendants, California Highway Patrol and
24 Captain Daniel Minor.

25 2. The Clerk shall copy the Stipulation (Doc. 15), and
26 attach it to this Order, allowing the litigation coordinator at
27 PVSP to read it in its entirety and comply with the letter and
28 spirit of it, specifically focusing on searching for any and all

1 documents relating to Plaintiff from internal affairs records
2 housed in the "ISU" Unit at the Prison, as well as any and all
3 documents referencing Officer Juarez kept in the normal course of
4 business in the Litigation Unit. Further, specific attention shall
5 be paid to the language of the Stipulation on page -9-, lines 3-26.

6 3. Production of documents pertaining hereto shall be
7 presented for *in camera* review on September 27, 2011 at 10:00 a.m.
8 in Courtroom No. 8 (instead of Ctrm. No. 7) on the Sixth Floor of
9 the Robert E. Coyle United States Courthouse, 2500 Tulare Street,
10 Fresno, CA, 93721.

11
12
13 IT IS SO ORDERED.

14 **Dated: August 26, 2011**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE