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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DENELL CAVER,	Case No. 1:11-cv-01025-AWI-SKO (PC)
Plaintiff,	ORDER DENYING MOTION FOR TEMPORARY RESTRAINING ORDER
v.	ORDER REQUIRING DEFENDANTS' COUNSEL TO PROVIDE A STATUS REPORT WITHIN FIFTEEN DAYS
E. GOMEZ, et al.,	
Defendants.	
<hr style="width: 50%; margin-left: 0;"/> (Doc. 117)	

Plaintiff, Denell Caver, a state prisoner proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 20, 2011. This action is proceeding on Plaintiff's second amended complaint, filed on April 10, 2012, against Defendants Gomez, Stark, and Garcia ("Defendants") for acting with deliberate indifference to Plaintiff's safety, in violation of the Eighth Amendment of the United States Constitution. Jury trial is scheduled for May 24, 2016.

On March 31, 2016, Plaintiff filed a motion indicating that on March 22, 2016, he returned to his cell from morning yard to find it ransacked and that as he organized his property, he realized that he was missing some of his "civil case paperwork," evidence, "Defendants' paperwork," and his copy of the "Daily Operation Manual." Plaintiff feels these items were confiscated in retaliation for his litigious activities and requests an order requiring prison officials at High Desert State Prison provide him with the missing items. Plaintiff represents that he needs these items to prepare for the upcoming trial. Defendants have not yet filed a response. Local Rule 230(l).

1 Federal courts are courts of limited jurisdiction, *Kokkonen v. Guardian Life Ins. Co. of*
2 *America*, 511 U.S. 375, 377, 114 S.Ct. 1673 (1994), and the Court lacks jurisdiction to issue any
3 orders regarding Plaintiff's current conditions of confinement, including access to legal property,
4 18 U.S.C. § 3626(a)(1)(A); *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61, 112 S.Ct. 2130
5 (1992); *Summers v. Earth Island Institute*, 555 U.S. 488, 493, 129 S.Ct. 1142, 1149 (2009);
6 *Mayfield v. United States*, 599 F.3d 964, 969 (9th Cir. 2010). However, Plaintiff's need to prepare
7 for trial requires some accommodation from prison officials. *See Blaisdell v. Frappiea*, 729 F.3d
8 1237, 1243-44 (9th Cir. 2013); *Silva v. Di Vittorio*, 658 F.3d 1090, 1101 (9th Cir. 2011).
9 Therefore, Defendants' counsel is directed to contact the Litigation Coordinator regarding
10 Plaintiff's ability to access his legal material for this case and to file a status report within fifteen
11 days. The Court notes that Plaintiff already filed his pretrial statement and a motion seeking the
12 attendance of two inmate witnesses.

13 Based on the foregoing, IT IS HEREBY ORDERED THAT:

- 14 1. Plaintiff's motion for return of his legal property is DENIED for lack of jurisdiction;
- 15 2. Within fifteen (15) days from the date of service of this order, Defendants' counsel
16 SHALL file a status report in compliance with this order.

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18 IT IS SO ORDERED.

19 Dated: April 13, 2016


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SENIOR DISTRICT JUDGE