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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEONARD RANSOM, JR.,

Plaintiff,

v.

DANNY HERRERA and RICKY
BRANNUM,

Defendants.

Case No. 1:11-cv-01709-LJO-EPG (PC)
ORDER GRANTING PLAINTIFF’S
MOTION FOR RECONSIDERATION
(ECF NO. 181)

Leonard Ransom, Jr. (“Plaintiff”), is a state prisoner proceeding *pro se* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On July 9, 2018, Plaintiff filed a motion for reconsideration of the Court’s order dated May 3, 2018 (ECF No. 151), which limited the requests in his subpoena directed at the California Department of Corrections and Rehabilitation (“CDCR”). (ECF No. 181). Plaintiff argues that it was an error for the Court to order the CDCR to produce photographs or videotapes sufficient to establish the approximate measurements and appearance of administrative segregation cells during the relevant time period because the cells Plaintiff was housed in were different than ordinary cells. One of the cells he was housed in was on the top tier, in violation of a medical chrono, and the other had no bed, no lockers, no desk, and no stool.

As Plaintiff has alleged that his cells were different (and worse) than the ordinary cell(s) he

1 received photographs of, as Plaintiff's request appears to be relevant, and as the burden of
2 producing the requested photographs or videotapes does not appear to be high, the Court will
3 grant Plaintiff's motion for reconsideration.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The California Department of Corrections and Rehabilitation ("CDCR") has thirty
6 days from the date of service of this order to conduct a reasonable investigation in to
7 whether it has photographs and/or videotapes in its possession, custody, or control,
8 of cells 4A-8A-102, 4A-8A-103, and 4A-6A-203 at California Correctional
9 Institution, from the period of March 29, 2011, through November 1, 2011. If it
10 does, it shall promptly provide them to Plaintiff.
- 11 2. If there are no photographs or videotapes of the cells available from this period, then
12 CDCR shall produce whatever photographs or videos of those cells are available
13 closest in time, or which depict the current appearance of those cells.

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15 IT IS SO ORDERED.

16 Dated: August 15, 2018

17 /s/ Eric P. Gray
18 UNITED STATES MAGISTRATE JUDGE
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