UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ERIC WHEELER, Plaintiff,	 1:12cv00861 LJO DLB PC ORDER REGARDING PLAINTIFF'S REQUEST FOR RELIEF (Document 203)
vs. ALISON, et al.,) ORDER TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED ON DEFENDANTS FOR FAILURE TO COMPLY WITH DISCOVERY ORDER
Defendants.	,

Plaintiff Eric Wheeler ("Plaintiff") is a prisoner in the custody of the California Department of Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's complaint, filed on May 25, 2012, on the following claims: (1) excessive force in violation of the Eighth Amendment against Defendants Duck, Murrieta and Lowder; (2) failure to protect in violation of the Eighth Amendment against Defendants Duck, Murrietta, Lowder, Loftis and Alison; and (3) deliberate indifference to a serious medical in violation of the Eighth Amendment against Defendants Ross, Mui, Neubarth and Ancheta.

On December 15, 2014, the Court issued a ruling on Plaintiff's motion to compel. In the order, the Court ordered that if Defendants had not produced documents that they agreed to

provide in the September 11, 2014, letter, they had thirty (30) days from the date of service of the order to do so. On January 20, 2015, the Court received a motion from Plaintiff in which he states that he has not yet received the documents. The motion was signed on January 13, 2015. Accordingly, Defendants are ORDERED TO SHOW CAUSE why sanctions should not be imposed for failure to comply with the December 15, 2014, order. Defendants SHALL file a response to this order within fourteen (14) days of the date of service. IT IS SO ORDERED. /s/ Dennis L. Beck UNITED STATES MAGISTRATE JUDGE

¹ The Court notes that Plaintiff signed the letter a day prior to deadline for the production of documents, and that institutional mail can be delayed. However, given the nature of the discovery disputes in this action and the length of time it has taken to resolve the disputes, the Court will not delay in issuing this order.