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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 BRYAN E. RANSOM,

12 Plaintiff,

13 vs.

14 AGUIRRE, et al.,

15 Defendants.
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1:12-cv-01343-DAD-GSA-PC

ORDER VACATING FINDINGS AND
RECOMMENDATIONS ISSUED ON
MAY 4, 2017, AND GRANTING
PLAINTIFF THIRTY DAYS IN
WHICH TO SERVE INITIAL
DISCLOSURES
(ECF No. 135.)

THIRTY-DAY DEADLINE

19 **I. BACKGROUND**

20 Bryan E. Ransom (“Plaintiff”) is a state prisoner proceeding pro se with this civil rights
21 action pursuant to 42 U.S.C. § 1983. This case now proceeds with Plaintiff’s First Amended
22 Complaint filed on March 6, 2013, against defendants Aguirre, Alanis, Clark, Cortez, Kernan,
23 Mariscal, Messick, Moon, Perez, Singh, Ulit, Vallejo, Vogel, Wang, and Wooden (collectively,
24 “Defendants”), on Plaintiff’s claims for retaliation, adverse conditions of confinement,
25 inadequate medical care, and state tort violations, arising from events occurring in 2011. (ECF
26 No. 12.)

27 On May 4, 2017, the court entered findings and recommendations to dismiss this case
28 for Plaintiff’s failure to comply with the court’s discovery and scheduling order issued on

1 August 9, 2016. (ECF No. 145.) Specifically, Plaintiff failed to provide initial disclosures to
2 Defendants as required by the discovery and scheduling order. On June 8, 2017, Plaintiff filed
3 objections to the findings and recommendations. (ECF No. 148.)

4 **II. DISCUSSION**

5 In his objections, Plaintiff claims that due to his transfer on April 14, 2016, from
6 Corcoran State Prison to California Men's Colony East, where Plaintiff is presently
7 incarcerated, Plaintiff is missing four out of thirteen boxes of his legal property and does not
8 have the documentation he needs to provide the required initial disclosures. Plaintiff argues
9 that his failure to respond to the court's order is the result of excusable neglect.

10 Plaintiff shall be granted thirty days in which to either: (1) serve initial disclosures on
11 Defendants as instructed below, or (2) serve Defendants with written notice informing them
12 that he does not have any initial information or documents to disclose.

13 The court's discovery and scheduling order requires initial disclosures, as follows.

14 A. Plaintiff's Disclosures:

15 Plaintiff shall provide Defendants with the name and, if known, the location or
16 other identifying information (such as inmate number, job classification or
17 assignment) of each individual likely to have information about the events
18 described in his complaint or his claims of injury or damage. In addition,
19 Plaintiff shall describe, generally, the information each individual so identified
20 is believed to possess.

19 Plaintiff shall also provide copies of, or a list describing (by category and
20 location), all documents or other tangible things in his possession, custody or
21 controll which he may use to support the allegation(s) in his complaint, or his
22 claims or injury or damage.

21 (Discovery and Scheduling Order, ECF No. 133 at 1-2.)

22 By this order, the court's findings and recommendations issued on May 4, 2017, shall
23 be vacated.

24 **III. CONCLUSION**

25 Based on the foregoing, IT IS HEREBY ORDERED that:

- 26 1. The court's findings and recommendations issued on May 4, 2017, are
27 VACATED;

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