

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. SULLIVAN,

Plaintiff,

v.

M. D. BITER, et al.,

Defendants.

1:12-cv-01662-AWI-EPG (PC)

REQUEST FOR THE LITIGATION
COORDINATOR AT CALIFORNIA
STATE PRISON, CORCORAN, TO
RESPOND TO PLAINTIFF’S
OBJECTIONS (ECF NO. 94)

ORDER DIRECTING CLERK TO
SEND A COPY OF THIS ORDER AND
PLAINTIFF’S OBJECTIONS ON
DEPUTY ATTORNEY GENERAL
MONICA ANDERSON AND THE
LITIGATION COORDINATOR AT
CALIFORNIA STATE PRISON,
CORCORAN

Michael J. Sullivan (“Plaintiff”) is a state prisoner (prison number V-60931), and is proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff is currently incarcerated at California State Prison, Corcoran.

On May 15, 2017, the Court issued findings and recommendations, recommending that this case be dismissed for Plaintiff’s failure to comply with court orders and failure to prosecute this action. (ECF No. 88). The main reason the Court issued these findings and recommendations is because Plaintiff failed to appear at the Order to Show Cause hearing on May 15, 2017, and otherwise failed to respond to the Order to Show Cause. (Id. at 1-2).

On July 24, 2017, Plaintiff objected to the findings and recommendations (ECF No. 94), stating that he attempted to attend the Order to Show Cause hearing. (Id. at p. 2). Plaintiff alleges that he “took the initiative to contact Lt. Rivera Litigation Cordinator [sic] and made sure [he] was taken to a direct dial phone on May 15[,] 2017.” (Id.) Plaintiff further alleges that on the day of the hearing, he was taken to a direct dial phone, and Correctional Officer Gallegos (the Litigation Coordinator) dialed the call-in number four times, but was not connected to the call. (Id.) After the fourth try, Officer Gallegos called the Clerk’s Office.

1 Officer Gallegos was told not to worry, and that the “conference” would be rescheduled. (Id.).

2 Given these factual allegations, the Court will request that the Litigation Coordinator at
3 California State Prison, Corcoran file a response, stating whether Plaintiff’s allegations
4 regarding why he did not participate in the Court’s telephonic conference are true.

5 Accordingly, based on the foregoing, the Court requests that, within fourteen (14) days
6 from the date of service of this order, the Litigation Coordinator at California State Prison,
7 Corcoran, file a response to Plaintiff’s allegations that he attempted to attend the hearing on
8 May 15, 2017.

9 Additionally, IT IS ORDERED that the Clerk of Court is directed to serve a copy of this
10 order and Plaintiff’s objections to the findings and recommendations (ECF No. 94) on
11 Supervising Deputy Attorney General Monica Anderson and the Litigation Coordinator at
12 California State Prison, Corcoran.

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14 IT IS SO ORDERED.

15 Dated: July 25, 2017

16 /s/ Eric P. Grogan
17 UNITED STATES MAGISTRATE JUDGE
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