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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8
9 ISABEL TUBACH,

10 Plaintiff,

11 v.

12 M. GUZMAN, Correctional Officer, et
13 al.,

14 Defendants.

Case No. 1:13-cv-00299-SMS (PC)

**ORDER REQUIRING PLAINTIFF TO SUBMIT
MORE DEFINITE STATEMENT OF FACTS**

RESPONSE DUE WITHIN THIRTY (30) DAYS

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17 **ORDER FOR MORE DEFINITE STATEMENT**

18 Plaintiff Isabel Tubach ("Plaintiff") is a prisoner in the custody of the California
19 Department of Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding *pro se* and *in*
20 *forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the
21 complaint in this action on March 1, 2013. Doc. 1.
22

23 In the present complaint, Plaintiff appears to allege that she is being harassed and
24 physically and sexually assaulted in violation of the Eighth Amendment. To enable the Court to
25 screen the complaint consistent with its duties under 28 U.S.C. § 1915A, Plaintiff is hereby
26 **ORDERED** to submit a more definite statement of the facts involved in this action by filing a
27 written response to the question(s) posed below **within thirty (30) days** of the date of this order:
28

1 **QUESTION(S)**

2 1. Your complaint identifies Correctional Officer Guzman, Mr. Torres, and Nurse Rey as
3 the Defendants in this action.

4 (a) Briefly describe the alleged personal involvement of each individual
5 defendant in the acts that allegedly violated your constitutional rights as stated in
6 the Complaint and give the date of each occurrence. If you do not know an exact
7 date, give an approximate date. List each defendant and state what he or she did
8 (or did not do) to you that you believe was wrong and the date that they engaged in
9 such behavior. Be specific as to personal involvement. Do not use conclusions,
10 generalities, or legal terms of art; rather, state specific facts. See following
11 examples of unacceptable and acceptable response formats.
12

13 **Unacceptable response examples:**

14 Defendant A: on January 1, 2013, attacked me.

15 Defendant B: on January 1, 2013, watched Defendant A attack me.

16 **Acceptable response examples:**

17 Defendant A: on January 1, 2013, walked up to me in the hallway as I was
18 walking to the dining hall and punched me in the nose three times using his
19 right fist.
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21 Defendant B: on January 1, 2013, watched Defendant A walk up to me in
22 the hallway as I was walking to the dining hall and punch me in the nose
23 with his right fist once. Defendant B then failed to stop Defendant A from
24 punching me in the nose with his right fist two more times.
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Plaintiff is directed to answer the foregoing questions to the best of her ability based on personal knowledge and the information available to her. Legal research or resort to a review of prison records is not required, but Plaintiff should provide her best responses based on information she has access to. Plaintiff is instructed to submit her responses to the foregoing question(s) by writing the answer as neatly and as briefly as possible. Plaintiff must also include somewhere in her response the following affirmation: "I swear under penalty of perjury that these answers are true and correct to the best of my knowledge."

IT IS SO ORDERED.

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE