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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 MICHAEL KLEIN,

12 Plaintiff,

13 vs.

14 CONANAN,

15 Defendant.
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1:13-cv-00600-GSA-PC

ORDER FOR DEFENDANT
CONANAN TO RESPOND TO
PLAINTIFF'S MOTION FOR ACCESS
TO MEDICAL RECORDS, WITHIN
THIRTY DAYS

(Doc. 19.)

17 Michael Klein ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis
18 with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint
19 commencing this action on April 25, 2013. (Doc. 1.) This case now proceeds on the initial
20 Complaint against defendant Dr. Conanan ("Defendant") for inadequate medical care in
21 violation of the Eighth Amendment. (Id.) Plaintiff is presently incarcerated at Avenal State
22 Prison in Avenal, California.

23 On March 13, 2014, Defendant filed a motion to dismiss this case as barred by the
24 statute of limitations. (Doc. 13.) On April 25, 2014, the court issued an order requiring
25 Plaintiff to file a response to Defendant's motion to dismiss within thirty days. (Doc. 18.) On
26 May 19, 2014, Plaintiff filed a motion for a court order for Plaintiff to be provided access to his
27 medical files at Avenal State Prison, to enable Plaintiff to respond to the motion to dismiss.
28 (Doc. 19.) Plaintiff claims that his appointment to review his medical records was cancelled by

1 prison officials based on a letter to the Case Records Manager at Avenal State Prison from
2 Defendant's counsel, Deputy Attorney General Kelly A. Samson, which directed that
3 "[n]othing should be removed, destroyed, or purged from [Michael Klein's] prison records,
4 including the central file and medical records] without conferring with me." (Exhibit to
5 Motion, Doc. 19 at 2-3.)

6 Defendant shall be required to file a response to Plaintiff's motion of May 19, 2014.

7 Accordingly, IT IS HEREBY ORDERED that within thirty days of the date of this
8 order, Defendant Conanen shall file a response to Plaintiff's motion for access to his medical
9 records, filed on May 19, 2014.

10 IT IS SO ORDERED.

11 Dated: May 21, 2014

12 /s/ Gary S. Austin
13 UNITED STATES MAGISTRATE JUDGE