

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

AARON RAY SCOTT,

Plaintiff,

V.

JAMES BRIGGS,

Defendant.

Case No. 1:13-cv-01900 DLB PC

ORDER DENYING PLAINTIFF'S MOTION FOR REVIEW OF INADEQUATE PRISON LAW LIBRARY

[ECF No. 14]

Plaintiff Aaron Ray Scott (“Plaintiff”) is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on November 22, 2013.¹

On October 20, 2014, the Court dismissed Plaintiff's complaint with leave to amend. On November 5, 2014, Plaintiff filed a request for an extension of time. The request was granted on November 6, 2014. On December 3, 2014, Plaintiff filed a second request for extension of time. By separate order, Plaintiff's request has been granted. Also on December 3, 2014, Plaintiff filed the instant motion for review of the prison law library. Plaintiff complains that the law library at California Correctional Institution in Tehachapi is inadequate. He claims that the deficiencies of the law library have caused him difficulties in preparing his First Amended Complaint. He claims that many other prisoners are experiencing the same conditions.

Inmates do not have the right to a law library or legal assistance. Lewis v. Casey, 518 U.S. 433, 440 (1996).

¹ On December 6, 2013, Plaintiff consented to the jurisdiction of the Magistrate Judge.

1 343, 351 (1996). Law libraries and legal assistance programs are only the means of ensuring access
2 to the courts. Id. Because inmates do not have “an abstract, freestanding right to a law library or
3 legal assistance, an inmate cannot establish relevant actual injury by establishing that his prison’s
4 law library or legal assistance program is subpar in some theoretical sense.” Id. In addition, the
5 issue of Plaintiff’s law library is not the subject of this complaint. If Plaintiff experiences difficulties
6 in preparing his First Amended Complaint, he may ask for additional time.

7 **ORDER**

8 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion for review of the prison law
9 library is DENIED.

10 IT IS SO ORDERED.

11 Dated: December 13, 2014

12 /s/ Dennis L. Beck
13 UNITED STATES MAGISTRATE JUDGE