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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 TRACY L. STEWART,
12 Plaintiff,
13 vs.
14 K. HOLLAND, et al.,
15 Defendants.
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1:14-cv-00322-AWI-GSA-PC

ORDER IN RESPONSE TO PLAINTIFF'S
NOTICE
(Doc. 12.)

ORDER DIRECTING CLERK TO SEND
PLAINTIFF COPY OF DOCKET SHEET

17 Tracy L. Stewart ("Plaintiff") is a state prisoner proceeding pro se in this civil rights
18 action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on
19 March 7, 2014. (Doc. 1.) On January 9, 2015, the court issued an order denying Plaintiff's
20 motion for preliminary injunctive relief, for lack of jurisdiction. (Doc. 11.)

21 On March 2, 2015, Plaintiff filed a notice, informing the court of a factual error in the
22 January 9, 2015 order. (Doc. 12.) Plaintiff notes that the order states that his Complaint arose
23 from events occurring at Corcoran State Prison (CSP), whereas in fact Plaintiff alleges that he
24 was pepper sprayed at the California Correctional Institution (CCI) and later transferred to
25 CSP. Plaintiff also expresses concern that he is not receiving copies of all of the court's
26 documents. (Id.)

27 A review of the Complaint shows that Plaintiff is correct, the Complaint arises from
28 events at CCI, not CSP, and the court's order thus contains a factual error. However, the fact

1 that Plaintiff was at CCI at the time of the events at issue does not change the court's decision
2 to deny Plaintiff's motion for preliminary injunctive relief for lack of jurisdiction. Whether
3 Plaintiff was at CCI or CSP when the events at issue occurred, the court would lack jurisdiction
4 to grant Plaintiff's motion. Therefore, the factual error is not material to the court's ruling, and
5 the January 9, 2015 order shall not be reconsidered.

6 With respect to Plaintiff's concern about not receiving court documents, the Clerk of
7 Court is HEREBY DIRECTED to send Plaintiff a copy of the current docket sheet for this case,
8 for his review.

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10 IT IS SO ORDERED.

11 Dated: March 3, 2015

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