

1
2
3
4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
6

7 GINA CARUSO,

8 Plaintiff,

9 v.

10 OFFICER G. SOLORIO, et al.,

11 Defendants.

Case No. 1:15-cv-00780-AWI-EPG (PC)

REQUEST FOR THE WARDEN OF
CALIFORNIA INSTITUTION FOR
WOMEN TO RESPOND TO
PLAINTIFF'S ALLEGATIONS
REGARDING DESTRUCTION OF
HER DOCUMENTS

ORDER DIRECTING CLERK TO
SEND A COPY OF THIS ORDER, A
COPY OF PLAINTIFF'S REQUEST
FOR APPOINTMENT OF COUNSEL
(ECF NO. 57), AND A COPY OF
PLAINTIFF'S REQUEST FOR THE
RE-ISSUANCE OF A SUBPOENA
(ECF NO. 60), TO SENIOR
ASSISTANT ATTORNEY GENERAL
MONICA ANDERSON, THE
WARDEN OF CALIFORNIA
INSTITUTION FOR WOMEN, AND
THE LITIGATION COORDINATOR
AT CALIFORNIA INSTITUTION FOR
WOMEN

12
13
14
15
16
17
18
19
20 Gina Caruso ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in
21 this civil rights action filed pursuant to 42 U.S.C. § 1983.

22 On February 23, 2018, Plaintiff filed two motions that appear to allege destruction of
23 documents that are relevant to this case. In one, Plaintiff alleges that, after her cell was
24 searched on January 31, 2018, the subpoenas issued by this Court were no longer in her cell.
25 (ECF No. 60, p. 1). She further alleges that numerous documents connected to her lawsuit have
26 been removed from her cell during the course of this suit. (*Id.*).

27 In another motion, Plaintiff alleges that all original copies of the incident report she
28 received after the incidents alleged in the complaint, as well as all witnesses statements, were

1 removed from her property when she was placed into administrative segregation. (ECF No. 57,
2 p. 2).

3 The Court takes allegations of destruction of evidence and destruction of legal property
4 seriously. Therefore, the Court will request that the Warden of California Institution for
5 Women conduct an investigation and file a response to Plaintiff's allegations that documents
6 relevant to this case have been taken from her.

7 Accordingly, based on the foregoing, the Court requests that, within twenty-one (21)
8 days from the date of service of this order, the Warden of California Institution for Women file
9 a response.

10 Additionally, IT IS ORDERED that the Clerk of Court is directed to serve Supervising
11 Deputy Attorney General Monica Anderson, the Warden of California Institution for Women,
12 and the Litigation Coordinator at California Institution for Women, with a copy of this order, a
13 copy of Plaintiff's request for appointment of counsel (ECF No. 57), and a copy of Plaintiff's
14 request for the re-issuance of a subpoena (ECF No. 60).

15 IT IS SO ORDERED.

16
17 Dated: February 27, 2018

18 /s/ Eric P. Gray
19 UNITED STATES MAGISTRATE JUDGE
20
21
22
23
24
25
26
27
28