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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRIAN CAPUTO,
Plaintiff,
v.
GONZALES, et al.,
Defendants.

Case No. 1:15-cv-01008-LJO-EPG (PC)
ORDER DIRECTING DEFENDANTS TO
PROVIDE PLAINTIFF WITH PAPER
COPIES OF DOCUMENTS OR TO
CONFIRM THAT PLAINTIFF CAN VIEW
DVDS

Brian Caputo (“Plaintiff”) is a prisoner¹ proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On August 16, 2018, Plaintiff filed objections to Defendants’ motion for a protective order. (ECF No. 112). While titled as objections to Defendants’ motion for a protective order, Plaintiff was actually seeking sanctions against Defendants because, according to Plaintiff, Defendants lied to the Court when stating that they served Plaintiff with their initial disclosures.

Plaintiff’s motion was denied because he presented no evidence that Defendants lied to the Court. (ECF No. 114). However, the Court ordered Defendants to serve Plaintiff with a copy of their initial disclosures. (Id.).

¹ Plaintiff was detained at Kern County Jail at the time of the incidents alleged in the complaint. He is now incarcerated at FCI Marianna.

1 On August 22, 2018, Defendants filed a reply. (ECF No. 115). They submitted
2 evidence that they served their initial disclosures on Plaintiff, and also served Plaintiff with
3 another copy of their initial disclosures. Additionally, they noted that the documents identified
4 in the initial disclosures were sent to Plaintiff on two DVDs.

5 Given Plaintiff's incarcerated status, he has no means to view the DVDs in his cell.
6 Moreover, it is not clear that Plaintiff is even allowed to have DVDs in his possession.

7 Given Plaintiff's claim that he never received the documents, Defendants' response that
8 they sent the documents on DVDs, the fact that Plaintiff is incarcerated without an easily
9 accessible way to view DVDs, IT IS ORDERED THAT:

10 Defendants have twenty-one days from the date of service of this order to either: 1)
11 Serve Plaintiff with paper copies of the documents identified in their initial disclosures; or 2)
12 file confirmation from Plaintiff's institution of confinement that Plaintiff is able to view the
13 DVDs sent by Defendants.

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15 IT IS SO ORDERED.

16 Dated: August 23, 2018

17 /s/ Eric P. Groj
18 UNITED STATES MAGISTRATE JUDGE
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