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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRIAN CAPUTO,
Plaintiff,
v.
KERN COUNTY SHERIFF’S OFFICE,
Defendant.

1:15-cv-01008-EPG (PC)
ORDER REQUIRING RESPONSE FROM THE
KERN COUNTY SHERRIFF’S OFFICE
REGARDING PLAINTIFF’S MOTION FOR
RELIEF OF MEDICAL NEGLECT, MEDICAL
NEGLIGENCE, AND MEDICAL ABUSE
(ECF NO. 8)
14-DAY DEADLINE

Brian Caputo (“Plaintiff”) is a prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff filed a First Amended Complaint on September 19, 2016. The First Amended Complaint has not yet been screened, and at this time the Court is not making any determination regarding the viability of Plaintiff’s complaint.

On September 19, 2016, Plaintiff filed a Motion for Relief of Medical Neglect, Medical Negligence, and Medical Abuse (“the Motion”). (ECF No. 8). The Court construes the Motion as a motion for preliminary injunctive relief.

According to the Motion, Plaintiff is presently incarcerated at the Kern County Jail in Bakersfield, California. He had to be rushed to the Kern Medical Center on July 7, 2016. He was told by the neurologist that “the veins/blood vessals [sic] in my brain flaired [sic] up three times

1 their normal size, and to follow up within one week.” However, his next appointment was
2 scheduled for November of 2016. He has allegedly not been getting any form of medical
3 treatment, and his medical needs have been neglected for “so long.”

4 Because the Motion did not provide enough information, the Court ordered Plaintiff to
5 provide additional information. (ECF No. 10). On September 29, 2016, Plaintiff filed a response
6 to the Court’s order, as well as supporting evidence. (ECF Nos. 12 & 13).

7 While the First Amended Complaint has not yet been screened, in light of Plaintiff’s
8 representation that he has an urgent medical need, the Court requires a response from the Kern
9 County Sherriff’s Office.

10 In accordance with the above, IT IS HEREBY ORDERED that:

- 11 1. Within fourteen (14) days from the date of service of this order, the Kern County
12 Sherriff’s Office is to file a response to the Motion to address, to the extent able,
13 Plaintiff’s representation that he is in urgent need of medical attention, which
14 has been unaddressed; and
- 15 2. The Clerk of the Court is directed to serve the Kern County Sherriff’s Office with:
 - 16 a. A copy of this order;
 - 17 b. A copy of the Motion (ECF No. 8);
 - 18 c. A copy of Plaintiff’s response to the Court’s order docketed on September 23,
19 2016 (ECF No. 12); and
 - 20 d. A copy of Plaintiff’s evidence in support of his response to the Court’s order
21 docketed on September 23, 2016 (ECF No. 13).

22 IT IS SO ORDERED.

23 Dated: October 6, 2016

24 /s/ Eric P. Gray
25 UNITED STATES MAGISTRATE JUDGE