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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10
11 MICHAEL HERNANDEZ GONZALEZ,

12 Plaintiff,

13 v.

14 THE FRESNO SHERIFF'S
15 DEPARTMENT , et al,

16 Defendants.

Case No. 1:15-cv-01200-BAM (PC)

ORDER REGARDING PLAINTIFF'S
DECLARATION

(ECF No. 47)

17 Plaintiff Michael Hernandez Gonzalez ("Plaintiff") was a pretrial detainee at the time of
18 the incident and is currently a state prisoner proceeding pro se and in forma pauperis in this civil
19 rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

21 Currently before the Court is Plaintiff's declaration filed December 21, 2017. (ECF No.
22 47.) Plaintiff declares that he has submitted twelve (12) requests over the last ten months to the
23 Custodian of Jail Records for Fresno County and Corizon Health seeking records of x-rays taken
24 of his right shoulder while he was housed at the Fresno County Jail. Plaintiff states that his
25 requests have been refused, and records important to the outcome of this action have not been
26 released. Plaintiff does not request any type of relief. (Id.)

27 There are no pending motions in this matter, nor does this declaration appear to relate to
28 any newly requested relief. Plaintiff is advised that to the extent he would submit evidence in

1 support of a pending request for specific relief, that evidence should be attached to a proper filing
2 that explains what the evidence is and for what purpose it should be considered.

3 Accordingly, it is HEREBY ORDERED that Plaintiff's declaration filed December 21,
4 2017, is disregarded at this time.

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6 IT IS SO ORDERED.

7 Dated: January 3, 2018

/s/ Barbara A. McAuliffe
8 UNITED STATES MAGISTRATE JUDGE
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