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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 JOSEPH D. RODRIGUEZ,

12 Plaintiff,

13 vs.

14 EDMUND G. BROWN, JR., et al.,

15 Defendants.
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1:15-cv-01754-LJO-GSA-PC

ORDER FOR DEFENDANT SHERMAN TO
RESPOND TO PLAINTIFF'S MOTIONS
FOR PRELIMINARY INJUNCTIVE
RELIEF
(ECF Nos. 9, 17.)

THIRTY-DAY DEADLINE

19 **I. BACKGROUND**

20 Joseph D. Rodriguez ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma*
21 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The case now proceeds
22 on the original Complaint filed by Plaintiff on November 19, 2015, against Stuart Sherman
23 (Warden of the California Substance Abuse Treatment Facility (SATF)) ("Defendant"), for
24 adverse conditions of confinement and related state claims. On June 28, 2016, Defendant
25 Sherman appeared in this action by filing a motion to dismiss the Complaint. (ECF No. 19.)

26 On December 11, 2015, and May 11, 2016, Plaintiff filed motions for temporary
27 restraining orders, requesting preliminary injunctive relief. (ECF Nos. 9, 17.) Defendant
28 Sherman shall be required to respond to these motions within thirty days.

1 **II. PLAINTIFF'S MOTIONS**

2 Plaintiff is presently incarcerated at the California Substance Abuse Treatment Facility
3 (SATF) in Corcoran, California. Plaintiff seeks a Court order barring prison staff at SATF
4 from transferring him to another facility while this case is pending, and from retaliating against
5 him for filing this case. Plaintiff also requests that Defendant be ordered to provide Plaintiff
6 with prepackaged meals not prepared at SATF, and allow Plaintiff to consume the meals in his
7 private cell. Plaintiff claims that Defendant has not provided him with safe, clean, and
8 adequate food prepared, handled, and served at the E-Yard dining facility since being served
9 his second live cockroach on January 13, 2015. Plaintiff requests to be served prepackaged
10 Kosher meals. Plaintiff suggests that he be allowed to remove all prepackaged Kosher meals
11 provided to him from the dining facility, to be consumed in Plaintiff's cell, pending resolution
12 of this action.

13 At this stage of the proceedings, Defendant Sherman shall be required to file a response
14 to Plaintiff's motions for preliminary injunctive relief, within thirty days.

15 **III. CONCLUSION**

16 Accordingly, based on the foregoing, IT IS HEREBY ORDERED that within thirty
17 days from the date of service of this order, Defendant Sherman shall file a written response to
18 Plaintiff's motions seeking preliminary injunctive relief, filed on December 11, 2015 and May
19 11, 2016.

20 IT IS SO ORDERED.

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22 Dated: July 1, 2016

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