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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8 RAYMOND ALFORD BRADFORD,
9

10 Plaintiff,

11 v.

12 C. OGBUEHI, et al.,

13 Defendants.

Case No. 1:15-cv-01918-AWI-BAM (PC)

FINDINGS AND RECOMMENDATIONS
REGARDING PLAINTIFF’S MOTION FOR
ACCESS TO LAW LIBRARY
[ECF No. 36]

ORDER GRANTING PLAINTIFF THIRTY-
DAY EXTENSION OF TIME TO COMPLY
WITH MARCH 27, 2018 ORDER
[ECF No. 37]

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16 Plaintiff Raymond Alford Bradford is a state prisoner proceeding *pro se* and *in forma*
17 *pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a
18 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

19 **I. Law Library Access**

20 On April 9, 2018, Plaintiff filed a motion for an order to attend the law library. (ECF No.
21 36.) The Court construes Plaintiff’s motion as a request for a preliminary injunction.

22 A preliminary injunction is an extraordinary remedy never awarded as of right. Winter v.
23 Natural Resources Defense Council, Inc., 555 U.S. 7, 9 (2008). For each form of relief sought in
24 federal court, Plaintiff must establish standing. Summers v. Earth Island Institute, 555 U.S. 488,
25 493 (2009); Mayfield v. United States, 599 F.3d 964, 969 (9th Cir. 2010). This requires Plaintiff
26 to show that he is under threat of suffering an injury in fact that is concrete and particularized;
27 the threat must be actual and imminent, not conjectural or hypothetical; it must be fairly
28 traceable to challenged conduct of the defendant; and it must be likely that a favorable judicial

1 decision will prevent or redress the injury. Summers, 555 U.S. at 493; Mayfield, 599 F.3d at 969.
2 Further, any award of equitable relief is governed by the Prison Litigation Reform Act, which
3 provides in relevant part, prospective relief in any civil action with respect to prison conditions
4 shall extend no further than necessary to correct the violation of the Federal right of a particular
5 plaintiff or plaintiffs. The court shall not grant or approve any prospective relief unless the court
6 finds that such relief is narrowly drawn, extends no further than necessary to correct the violation
7 of the Federal right, and is the least intrusive means necessary to correct the violation of the
8 Federal right. 18 U.S.C. § 3626(a)(1)(A). Thus, the federal court's jurisdiction is limited in
9 nature and its power to issue equitable orders may not go beyond what is necessary to correct the
10 underlying constitutional violations which form the actual case or controversy. 18 U.S.C. §
11 3626(a)(1)(A); Summers, 555 U.S. at 493; Steel Co. v. Citizens for a Better Env't, 523 U.S. 83,
12 103-104 (1998).

13 In this case, Plaintiff has been found to state a cognizable claim against certain medical
14 providers at Kern Valley State Prison for deliberate indifference to a serious medical need. In the
15 current motion, Plaintiff seeks an order directed at prison officials at Richard J. Donovan
16 Correctional Facility regarding legal supplies and law library access matters. The law library
17 access issue that Plaintiff seeks to remedy in his motion bears no relation to his Eighth
18 Amendment claim. 18 U.S.C. § 3626(a)(1)(A); Summers, 555 U.S. at 493; Steel Co., 523 U.S. at
19 103-104. Further, the officials at Richard J. Donovan Correctional Facility are not defendants in
20 this case, and therefore the Court lacks personal jurisdiction over those officials and it cannot
21 issue an order requiring them to take any action. The pendency of this action does not give the
22 Court jurisdiction over prison officials in general. Summers, 555 U.S. at 491-93; Mayfield, 599
23 F.3d at 969. Finally, Plaintiff discusses that he has been provided law library priority legal user
24 status and some access, and therefore the Court does not find that an extraordinary remedy of
25 injunctive relief is required. As discussed further below, Plaintiff will be afforded a reasonable
26 extension of time to gain the necessary law library access and services and comply with his
27 current deadline in this action. For these reasons, the Court will recommend denial of Plaintiff's
28 motion.

1 This Findings and Recommendation will be submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **thirty (30)**
3 **days** after being served with this Findings and Recommendation, Plaintiff may file written
4 objections with the Court. The document should be captioned “Objections to Magistrate Judge’s
5 Findings and Recommendation.” Plaintiff is advised that failure to file objections within the
6 specified time may result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834,
7 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

8
9 IT IS SO ORDERED.

10 Dated: April 17, 2018

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