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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEWART MANAGO,
Plaintiff,
v.
DAVEY, et al.,
Defendants.

No. 1:16-cv-00399 LJO DLB PC
ORDER DENYING PLAINTIFF’S MOTION
FOR ASSISTANCE IN CONTACTING
WITNESSES
(Document 38)

Plaintiff Stewart Manago (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on March 24, 2016. The action is proceeding on Plaintiff’s First Amendment retaliation claim against Defendants Davey, Sexton, Vander Poel, Maxfield, Valdez, Acevedo and Razo. Specifically, Plaintiff alleges that Defendants retained him in the SHU because of his grievances. The Court directed the United States Marshal to serve Defendants on June 3, 2016. There is no indication that any Defendants have been served at this time.

On June 20, 2016, Plaintiff filed a motion requesting a Court order directing CDCR management to allow him to contact his inmate witnesses. However, Plaintiff must first utilize

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1 CDCR procedures related to correspondence prior to seeking relief from the Court. 15
2 Cal.Code.Regs. § 3139.¹

3 Plaintiff is also informed that the Court does not have jurisdiction in this action over
4 anyone other than Plaintiff and Defendants, and the Court can only make a *request* to prison
5 officials. Such a request shall not be made by the Court without assurances that (1) Plaintiff has
6 followed procedures and used the available resources at the prison, and (2) each witness has
7 relevant knowledge.

8 Accordingly, Plaintiff's motion is DENIED.

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10 IT IS SO ORDERED.

11 Dated: July 6, 2016

/s/ Dennis L. Beck
12 UNITED STATES MAGISTRATE JUDGE

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27 _____
28 ¹ Plaintiff states that he is set to parole on July 7, 2016. Even if he paroles, there are CDCR procedures related to correspondence and visiting that must be followed.