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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH BECKER,

 Plaintiff,

 v.

WARDEN SHERMAN, et al.,

 Defendants.

CASE No. 1:16-cv-0828-MJS (PC)
ORDER DIRECTING PLAINTIFF'S
COUNSEL TO SUBMIT RESPONSE; AND
REQUEST FOR THE DEPUTY
ATTORNEY GENERAL TO PROVIDE
INFORMATION ON THE STATUS OF
PLAINTIFF'S TRANSFER

(ECF NO. 29)

Plaintiff is a transgender state prisoner proceeding with appointed counsel in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to the jurisdiction of a magistrate judge. This matter proceeds on Plaintiff's First Amended Complaint on allegations that Defendants failed to ensure Plaintiff's safety despite knowledge of the substantial risk of serious harm tgo Plaintiff, and, as a result, Plaintiff was the victim of multiple instances of physical and/or sexual assaults.

An executed waiver of service was returned for all of the Defendants on June 19, 2017, but there have not yet been any appearances by any of them.

On June 22, 2017, Plaintiff filed a pro se emergency motion for temporary restraining order to prevent her impending transfer from the Sierra Conservation Center

1 (“SCC”), where she is presently housed, to the California Substance Abuse Treatment
2 Facility (“CSATF”), an institution where Plaintiff claims she was sexually assaulted on
3 two separate occasions by her cellmates. Plaintiff fears for her safety because of the
4 likelihood that she will be assigned another cellmate, increasing her risk for further
5 sexual or physical assault. She also fears harm from other inmates who are aware of her
6 sexual assault complaints.

7 Plaintiff declares that she has made several attempts to contact appointed
8 counsel, including by letter, telephone, and enlisting the assistance of family members.
9 Her efforts to reach counsel have proved unsuccessful, and counsel has not yet filed
10 anything in connection with the instant motion.

11 Based on the foregoing, IT IS HEREBY ORDERED that:

- 12 1. Plaintiff’s counsel shall address the claims made in Plaintiff’s pro se
13 emergency motion for temporary restraining order by filing made on or before
14 July 7, 2017;
- 15 2. The Deputy Attorney General is requested to provide information on the status
16 of Plaintiff’s transfer to CSATF by July 14, 2017; and
- 17 3. The Clerk of Court is directed to serve Deputy Attorney General Erin Doering
18 with a copy of this order.

19
20 IT IS SO ORDERED.

21 Dated: July 2, 2017

22 1st Michael J. Seng
23 UNITED STATES MAGISTRATE JUDGE
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