UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BARRY LEE BROOKINS,
 	
             Plaintiff,
 	
       v.
 	
M. HERNANDEZ, et al.,
 	
             Defendants.
	) Case No. 1:17-cv-01675-AWI-SAB (PC)
	)
	)
	) ORDER DIRECTING DEFENDANTS TO FILE A
	) RESPONSE TO PLAINTIFF'S MOTION FOR
	) ACCESS TO HIS MEDICAL RECORDS
	)
	) [ECF No. 96]
	)
	)
	)
	)

Plaintiff Barry Lee Brookins is appearing *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 31, 2020, the undersigned issued Findings and Recommendations recommending that Defendants' motion for summary judgment be granted. (ECF No. 95.) On this same date, Plaintiff filed a motion for access to his medical records to oppose Defendants' motion for summary judgment. (ECF No. 96.) However, as noted in the Findings and Recommendations, Plaintiff previously filed two separate oppositions to Defendants' motion for summary judgment (ECF Nos. 85, 89), supported with medical records. Because Plaintiff filed two separate oppositions, with supporting documentation, the Court proceeded to address the merits of Defendants' motion. At this juncture, the Court cannot determine what, if any, medical records Plaintiff does not have access to that may be necessary to oppose Defendants' motion. The Court find that input from Defendants as to whether Plaintiff has been given access to his medical records is necessary to resolve Plaintiff's motion.

1   Accordingly, it is HEREBY ORDERED that within **twenty (20)** days from the date of service

2 of this order, Defendants shall file a response to Plaintiff's motion for access to his medical records,

3 filed on July 31, 2020. Defendants shall address whether Plaintiff has followed the proper procedure

4 in obtaining access to his medical records and, if so, whether he has been given access to the requested

5 medical records.

6

7 IT IS SO ORDERED.

8 Dated: **August 6, 2020**

9   UNITED STATES MAGISTRATE JUDGE