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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANCISCO SIERRA,
Plaintiff,
v.
J. CASTELLANOS,
Defendant.

Case No. 1:17-cv-01691-ADA-EPG (PC)

ORDER DENYING MOTION FOR
INSTITUTION INVESTIGATION

(ECF No. 99)

Plaintiff Francisco Sierra is a state inmate proceeding *pro se* and *in forma pauperis* in this civil rights action. Following the District Judge’s decision adopting this Court’s findings and recommendations, this case now proceeds on Plaintiff’s cruel-and-unusual-punishment claim against Defendant Castellanos, with a pretrial conference set for January 9, 2023, at 1:30 p.m. before the assigned District Judge. (ECF No. 70, 96).

This matter is now before the Court on Plaintiff’s “motion for institution investigation.” (ECF No. 97). The motion is very similar to the “motion for emergency note” that Plaintiff filed on December 21, 2022, and that the Court addressed on December 22, 2022. (ECF Nos. 97, 98). Generally, Plaintiff alleges that prison officials have shared his personal information with other inmates, which has led to physical violence against him. As with his earlier motion, Plaintiff makes no specific request for relief, but from the title of the motion, the Court assumes that Plaintiff wants the Court to order an investigation into his claims that prison officials are placing him in danger by sharing his personal information.

1 The Court will deny the motion. While the Court is sympathetic to Plaintiff's request for
2 assistance, the recent events he describes are not connected to the remaining claim or Defendant
3 in this lawsuit, and the Court has no authority to order any investigation into his claims. *See*
4 *Zepeda v. U.S. I.N.S.*, 753 F.2d 719, 727 (9th Cir. 1983) (noting that a court "may not attempt to
5 determine the rights of persons not before the court"); *Blackwell v. Tsui*, No. 2:21-CV-2207-
6 KJM-ACP, 2022 WL 222065, at *1 (E.D. Cal. Jan. 25, 2022) ("Plaintiff has also filed a motion
7 requesting the court order a federal investigation and sanction the Mule Creek State Prison law
8 librarian and plaintiff's assigned counselor. The court has no authority to order an investigation.")
9 (internal citation to record omitted). However, if Plaintiff believes that his rights are being
10 violated based on the recent events occurring at his prison, he may file a separate lawsuit against
11 those he deems responsible.

12 Accordingly, IT IS ORDERED that Plaintiff's motion for institution investigation (ECF
13 No. 99) is denied.

14 IT IS SO ORDERED.

15 Dated: January 3, 2023

16 /s/ Eric P. Gray
17 UNITED STATES MAGISTRATE JUDGE
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