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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

IN RE:)	1:17-mc-00064-SAB
)	
)	ORDER REGARDING PLAINTIFF’S MOTION
)	REQUESTING COPY OF COMPLAINT
MICHAEL FRIES,)	[ECF No. 8]
)	
)	ORDER DIRECTING CLERK OF COURT TO
)	SEND COMPLAINT TO KVSP LIBRARY
)	TECHNICAL ASSISTANT
)	
)	ORDER DIRECTING CLERK OF COURT TO
)	SERVE COPY OF ORDER ON SUPERVISING
)	DEPUTY ATTORNEY GENERAL
)	
)	

On August 24, 2017, the Court received a motion from the Plaintiff requesting access to the electronic case filing system at Kern Valley State Prison (“KVSP”) in Delano, California.

On October 30, 2017, the Court denied Plaintiff’s request for Court because “there is no basis for Court intervention and Mr. Fries must comply with the normal procedures to file his complaint through the electronic filing system pursuant to the Court’s Standing Order.” (ECF No. 5, at p.3.)

On November 16, 2017, Plaintiff filed objections to the Court’s October 30, 2017 order. (ECF No. 6.) The Court construed the objections as a motion for reconsideration, and denied that request. (ECF No. 7.)

Currently before the Court is Plaintiff’s motion requesting a copy of his complaint, filed on December 8, 2017. (ECF No. 8.) Plaintiff again asserts continued difficulties in filing his complaint.

1 The Court has repeatedly found that Plaintiff has sufficient access to the electronic filing
2 system through the law library at KVSP, and has not shown good cause for Court intervention
3 allowing him to bypass that system. Nevertheless, in an abundance of caution and to avoid prolonging
4 this matter, the Court will respectfully direct that the Clerk of the Court send Plaintiff's complaint and
5 application for leave to proceed in forma pauperis at issue in this matter to the Library Technical
6 Assistant at KVSP. The Library Technical Assistant submitted a declaration in this matter declaring
7 that their duties include e-filing complaints for inmates to the United States District Court for the
8 Eastern District of California. (ECF No. 3-1, at p. 2 ¶2.) The Court will respectfully request that the
9 Library Technical Assistant submit Plaintiff's complaint and application for filing to the United States
10 District Court for the Eastern District of California, Fresno Division, pursuant to the applicable e-filing
11 procedures.

12 Plaintiff is advised that when his civil rights complaint is filed by way of the e-filing system, a
13 civil rights action will be opened and assigned a civil case number. This action was opened for the
14 limited purpose of determining whether Plaintiff would be granted exemption from e-filing his
15 complaint. Although Plaintiff's request was denied, he is being granted some limited relief here,
16 including having his complaint submitted for filing. Therefore, the Court will order this matter to be
17 closed, and will not accept any further filings in this closed matter.

18 Accordingly it is HEREBY ORDERED that:

- 19 1. Plaintiff's motion requesting a copy of the complaint is GRANTED IN PART;
- 20 2. The Clerk of the Court is directed to send a copy of Plaintiff's complaint, (ECF No. 1,
21 at pp. 8-31), and his application for leave to proceed in forma paupers, (ECF No. 1, at pp. 41-46), to
22 "R. Tinsley, Library Technical Assistant," at KVSP;
- 23 3. The Clerk of the Court shall also serve a copy of this order on R. Tinsley, the Library
24 Technical Assistant at KVSP, and shall serve a copy of this order on the Supervising Deputy Attorney
25 General, Monica Anderson; and

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4. The Clerk of the Court is directed to close this matter. No further filings will be accepted in this closed matter.

IT IS SO ORDERED.

Dated: December 14, 2017


UNITED STATES MAGISTRATE JUDGE