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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. VELASQUEZ,

Plaintiff,

v.

PAM AHLIN, et al.,

Defendants.

CASE NO. 1:18-cv-00053-MJS (PC)

REQUEST TO DEFENDANTS AHLIN AND PRICE TO RESPOND TO PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER

(ECF No. 5)

ORDER DIRECTING CLERK TO SEND COPIES OF THIS ORDER, PLAINTIFF'S COMPLAINT (ECF No. 1), AND THE SCREENING ORDER (ECF No. 7) TO DEFENDANTS AHLIN AND PRICE AND THE COUNSEL FOR DEFENDANTS

FEBRUARY 22, 2018 DEADLINE

Plaintiff is a civil detainee proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. His complaint alleges constitutional violations arising from the prohibition and potential confiscation and destruction of certain electronic devices, including digital storage devices identified in recent emergency amendments to Cal. Code Regs. tit. 9, § 4350 (hereinafter Regulation 4350).

1 On February 16, 2018, the Court screened Plaintiff's complaint and found that it
2 states cognizable substantive due process claims against Defendants Ahlin and Price in
3 their official capacities in relation to the potential prohibition, confiscation, and
4 destruction of certain electronic devices, manufactured CDs/DVDs, and scanned digital
5 documents under the amended regulation. (ECF No. 7.)

6 Before the Court is Plaintiff's January 29, 2018, motion for an emergency
7 temporary restraining order ("TRO") requesting the Court stop the implementation of
8 portions of Regulation 4350 that relate to the confiscation and destruction of certain
9 electronic devices and materials. (ECF No. 6.)

10 Because of the serious nature and possible consequence of reflected in Plaintiff's
11 allegations the Court seeks a response from Defendants Ahlin and Price before ruling on
12 the motion for temporary restraining order.

13 Accordingly, Defendants Ahlin and Price are invited to file, on or before February
14 22, 2018, an opposition or statement of non-opposition to Plaintiff's motion for temporary
15 restraining order. Any such statement shall address the substantive merits of the motion,
16 regardless of perceived procedural deficiencies.

17 The Clerk of Court is directed to mail a copy of this order, a copy of Plaintiff's
18 complaint filed on January 11, 2018 (ECF No. 1), and a copy of this Court's screening
19 order (ECF No. 7) to the following addresses:

20 Pam Ahlin
21 Department of Mental Health
22 Room 151
23 1600 9th Street
24 Sacramento, CA 95814

25 and

26 Brandon Price, Director
27 Department of State Hospitals – Coalinga
28 24511 West Jayne Avenue
P.O. Box 5000
Coalinga, CA 03210-5000

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and

Lisa Anne Tilman
Office of the Attorney General, State of California
Suite 125
1300 "I" Street
Sacramento, CA 94244-2550

IT IS SO ORDERED.

Dated: February 16, 2018

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE