

1
2
3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**
5

6 **ALLEN HAMMLER,**

7 **Plaintiff**

8 **v.**

9 **CLARK, et al.,**

10 **Defendants**
11

CASE NO. 1:19-CV-373 AWI SAB

**ORDER FOR DEFENDANTS TO
RESPOND TO FINDINGS AND
RECOMMENDATION AND
OBJECTIONS BY PLAINTIFF**

12
13 This is a civil rights lawsuit brought by pro se Plaintiff Allen Hammler against various
14 staff personnel at Corcoran state prison. In a nutshell, Plaintiff contends that Defendants are
15 violating his First Amendment rights by not providing him with properly prepared and fully
16 cooked Kosher meals.

17 On December 23, 2019, Plaintiff filed a motion for preliminary injunction. See Doc. No.
18 64.

19 On December 30, 2019, the Magistrate Judge issued a findings and recommendation to
20 deny the preliminary injunction. See Doc. No. 65.

21 On January 15, 2020, Plaintiff filed objections to the findings and recommendation. See
22 Doc. No. 68. Although the objections are not sworn, Plaintiff objects that Defendants are daily
23 interfering with Plaintiff's meals, that the conduct is not sporadic, and that this is causing him to
24 miss meals. See id. Plaintiff states that he is being starved and now weighs only 127 lbs. See id.

25 Plaintiff's objections do not provide several important details.¹ Nevertheless, the Court
26 finds that the matters raised in Plaintiff's objections warrant a response from Defendants. The

27
28

¹ For example, Plaintiff does not explain which meals he is able to consumer and he does not explain his weight loss history or what his normal weight may be. Without additional information, Plaintiff stating that his current weight is 127 lbs. tells the Court very little.

1 Court will order Defendants to respond to both the findings and recommendation and the
2 Plaintiff's objections thereto. As part of the response, Defendants should include appropriate
3 documents or declarations as may be necessary to support their response to Plaintiff's objections.
4

5 **ORDER**

6 Accordingly, IT IS HEREBY ORDERED that, within fourteen (14) days of service of this
7 order, Defendants shall file a response to the December 23, 2019, findings and recommendation
8 and Plaintiff's objections thereto.

9
10 IT IS SO ORDERED.

11 Dated: February 25, 2020



12 SENIOR DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28