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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 **IN RE:**) 1:19-mc-00026-SAB
9)
10 **ALLEN HAMMLER,**) ORDER REGARDING USE OF ELECTRONIC
11) FILING SYSTEM, DIRECTING APPEARANCE
12) BY SUPERVISING DEPUTY ATTORNEY
13) GENERAL, AND SETTING BRIEFING
) SCHEDULE
)
) [ECF No. 1]
)
)

14 On April 15, 2019, the Court received a notice from the Plaintiff requesting access to the
15 electronic case filing system at California State Prison, Corcoran (“CSP-COR”).

16 Plaintiff contends that he has been engaged in conflict with prisons officials and [he is] unable
17 to access the library” because he has been “illegally placed on restriction from library” and cannot use
18 the electronic filing system. (ECF No. 2 at 1.) Plaintiff requests to be exempt from filing his
19 complaint through use of the electronic filing system.

20 As Plaintiff is incarcerated at CSP-COR, he is subject to the Standing Order in Re: Procedural
21 Rules for Electronic Submission of Prison Litigation Filed by Plaintiff’s incarcerated at CSP-COR.
22 Pursuant to the standing order, which applies to initial filings: (1) new complaints are subject to e-
23 filing and they may not exceed twenty-five pages in length; and (2) motions seeking relief from the
24 standing order, motions for emergency relief, or motions to increase the page limit shall be no more
25 than fifteen (15) pages. As a California Department of Corrections and Rehabilitation participating
26 facility, no initial documents are accepted for filing by the Clerk of Court unless done pursuant to the
27 standing order or the scanning equipment is inoperable for a period longer than forty-eight (48) hours.
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1 The Court notes that Plaintiff has previously filed a request to be exempt from electronic filing
2 in 1:19-mc-00019 SAB, In re Allen Hammler, in which the undersigned directed the complaint to be
3 filed by the Litigation Coordinator at CSP-COR but did not make any finding on Plaintiff's
4 allegations.

5 Inasmuch as this is Plaintiff's second request and the case has not yet been opened, the Court
6 will request the Supervising Deputy Attorney General in charge of the e-service program, Christopher
7 Becker, to address Plaintiff's contention that he is not allowed to utilize the e-filing system at CSP-
8 COR. After briefing is submitted, the Court will review any documentation and issue a corresponding
9 order and/or set a telephonic hearing, if necessary and only if Plaintiff has properly responded within
10 the specified time period.

11 Accordingly, it is HEREBY ORDERED that:

- 12 1. The Clerk of Court is directed to serve a copy of inmate Allen Hammler's declaration
13 (ECF No. 1) and a copy of this order on Supervising Deputy Attorney General,
14 Christopher Becker, at Christopher.Becker@doj.ca.gov;
- 15 2. Mr. Becker shall file a response to Mr. Hammler's declaration within **fourteen (14)**
16 days from the date of service of this order;
- 17 3. Inmate Allen Hammler shall file a detailed brief demonstrating how he was denied
18 access to the e-filing system at CSP-COR within **twenty-one (21)** days from the date of
19 service of this order; and
- 20 4. No case as to the merits of Mr. Hammler's claims will be opened until the issue
21 regarding the use of the e-filing system is resolved unless a civil complaint is filed
22 through the Court's e-filing procedures.

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24 IT IS SO ORDERED.

25 Dated: April 16, 2019

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UNITED STATES MAGISTRATE JUDGE