

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

IN RE:)	1:19-mc-00032-SAB; 1:19-mc-00033-SAB; 1:19-
)	mc-00034-SAB; 1:19-mc-00035-SAB; 1:19-mc-
)	00036; 1:19-mc-00037
)	
JOHN THOMAS,)	
)	
JORGE VELASQUEZ,)	ORDER REGARDING REQUESTS TO FILE
)	COMPLAINT WITHOUT USE OF ELECTRONIC
JESUS PACHECO,)	FILING SYSTEM, AND DIRECTING
)	APPEARANCE BY SUPERVISING DEPUTY
SALVADOR JIMENEZ,)	ATTORNEY GENERAL
)	
JOEL NUNEZ,)	
)	
VICTOR ORTEGA)	
)	
)	
)	
)	

On May 13, 2019, the Court received notices from the above-named Plaintiffs requesting relief from the electronic case filing system at Avenal State Prison.

Plaintiffs contend that they do not have access to the law library at Avenal State Prison in order to file their complaints through use of the electronic case filing system. Plaintiffs therefore request to be exempt from filing their complaint through use of the electronic filing system.

As Plaintiffs are incarcerated at Avenal State Prison, they are subject to the Standing Order in Re: Procedural Rules for Electronic Submission of Prison Litigation Filed by Plaintiff's incarcerated at Avenal State Prison. Pursuant to the standing order, which applies to initial filings: (1) new complaints are subject to e-filing and they may not exceed twenty-five pages in length; and (2) motions seeking relief from the standing order, motions for emergency relief, or motions to increase the page limit shall be no more than fifteen (15) pages. As a California Department of Corrections and

1 Rehabilitation participating facility, no initial documents are accepted for filing by the Clerk of Court
2 unless done pursuant to the standing order or the scanning equipment is inoperable for a period longer
3 than forty-eight (48) hours.

4 Based on the Plaintiffs' allegations, the Court will request the Supervising Deputy Attorney
5 General in charge of the electronic filing program, Christopher Becker, to address Plaintiffs'
6 contentions that they cannot access the electronic filing system at Avenal State Prison. After a
7 response is filed, the Court will issue a corresponding order.

8 Accordingly, it is HEREBY ORDERED that:

- 9 1. The Clerk of Court is directed to serve a copy of this order and a copy of Plaintiffs'
10 motions in the cases listed above in the caption (ECF Nos. 1) and a copy of this order
11 on Supervising Deputy Attorney General, Christopher Becker, at
12 Christopher.Becker@doj.ca.gov;
- 13 2. Within **seven (7) days** from the date of service of this order, Mr. Becker shall file a
14 response to Plaintiffs' motions; or
- 15 3. In the alternative, **within seven (7) days** CDCR may electronically file Plaintiffs'
16 complaints and provide notice to the Court of such filings and the assigned case
17 numbers.

18
19 IT IS SO ORDERED.

20 Dated: May 16, 2019



21 UNITED STATES MAGISTRATE JUDGE