

1 being necessary to pay the witness fees and travel expenses of his trial witnesses as he alleges that
2 the Jail will not assist him in procuring money orders for that purpose.

3 Defendants will be directed therefor, as set forth below, to inform Court regarding this
4 matter.

5 I. PLAINTIFF'S MOTION

6 Plaintiff states that he has asked Kings County Jail deputies how to go about
7 releasing funds from his trust account to obtain the necessary money orders. ECF No. 65 at 1.
8 He further states that since making these inquiries, he has been told by "Deputy James" that
9 "there is no policy that states that [Kings County Jail has] to do anything to help [him] with
10 [obtaining] anything that has to do with getting money orders for any case." Id. (brackets added).

11 Finally, Plaintiff states that the deputies at Kings County Jail are aware that he is
12 proceeding pro se in this case and that he has limited resources. He therefor requests the Court to
13 direct Kings County Jail to release the necessary funds to the Court so that he can pay the witness
14 and travel fees for his witnesses. ECF No. 65 at 1-2.

15 II. DISCUSSION

16 To begin, an inmate has a constitutionally protected right of meaningful access to the
17 courts. Bounds v. Smith, 430 U.S. 817, 820-21, 97 S. Ct. 1491, 52 L. Ed. 2d 72 (1977).

18 To determine if this right is being afforded to Plaintiff, and to assist the Court with a
19 prompt resolution of this matter, Defendants will be directed to respond to the Court by filing
20 with the Court answers to the following questions, and to do so within 5 days of receiving this
21 order: (1) whether Plaintiff is being hindered or denied access to the funds in his trust account, if
22 so, why; (2) whether Plaintiff is being denied or hindered the ability to obtain money orders
23 needed by him to obtain witnesses for his upcoming trial, if so, why; (3) whether the Kings
24 County Jail has an existing policy or protocol regarding requests made by inmates whom wish to
25 procure money orders that are necessary to pay witness fees; (4) if there is such a policy or
26 protocol, what is the policy or protocol; and finally, (4) if no such policy or protocol exists, how
27 is the Kings County Jail abiding by the Bounds decision when inmates are seeking its assistance
28 in obtaining the attendance of their trial witnesses?

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Accordingly, IT IS HEREBY ORDERED that:

Within five days from the date of this order, Defendants shall file with the Court answers to the questions set forth above.

Defendants are warned that failure to comply with this order within the time allotted may result in the imposition of sanctions. See 28 U.S.C. § 1927.

IT IS SO ORDERED.

Dated: January 28, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE