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IN THE UNITED STATES DISTRICT COURTS  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
AND THE NORTHERN DISTRICT OF CALIFORNIA  
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

**RALPH COLEMAN, et al.,**  
Plaintiffs,  
**v.**  
**GAVIN NEWSOM, et al.,**  
Defendants.

Case No. 2:90-cv-00520 KJM-DB  
**THREE-JUDGE COURT**

**MARCIANO PLATA, et al.,**  
Plaintiffs,  
**v.**  
**GAVIN NEWSOM, et al.,**  
Defendants.

Case No. 4:01-cv-01351-JST  
**THREE-JUDGE COURT**  
**ORDER GRANTING DEFENDANTS’  
UNOPPOSED MOTION TO MODIFY  
FEBRUARY 10, 2014 ORDER (ECF NO.  
2766/5060) TO REDUCE FREQUENCY  
OF STATUS REPORTS FROM  
MONTHLY TO QUARTERLY**

The Court **grants** Defendants’ unopposed motion to reduce the frequency of its status reports from monthly to quarterly. The Court agrees this reduced frequency is appropriate because Defendants have been in compliance with the 137.5% population cap for over seven years, CDCR’s adult prison population remains below that cap, information in Defendants’ monthly reports generally does not change significantly from one month to the next, and current population data is readily available on CDCR’s public website.

Accordingly, it is **ordered** that paragraph 5 of this Court’s February 10, 2014 order (ECF No. 2766/5060)<sup>1</sup> is amended to read: “Defendants will report to this Court quarterly on the status


<sup>1</sup> All filings in this Three-Judge Court are included in the individual docket sheets of both *Plata v. Newsom*, No. 01-cv-01351-JST (N.D. Cal.) and *Coleman v. Newsom*, No. 2:90-cv-00520-KJM-DB (E.D. Cal.). The Court cites to the docket number of *Plata* first, then *Coleman*.

1 of measures being taken to reduce the prison population, and on the current in-state and out-of-  
2 state adult prison populations. Reports shall be submitted on the 15th of March, June, September,  
3 and December of each year until further order of the Court.”


4 Additionally, so that the mechanism for reducing an adult prison population that remains  
5 above the 137.5% cap for two consecutive months remains workable in a quarterly reporting  
6 scheme, it is **ordered** that the second sentence of paragraph 7 of the same order is amended to  
7 read: “During this period after compliance with the final benchmark and before such compliance  
8 is durable, if the adult prison population is above 137.5% design capacity for two consecutive  
9 months, CDCR shall notify the Court, and the Compliance Officer shall, within seven days, direct  
10 the release of the number of inmates necessary to bring the prison population to 137.5% design  
11 capacity.”<sup>2</sup>

12 **IT IS SO ORDERED.**

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14 Dated: March 25, 2022

  
KIM McLANE WARDLAW  
UNITED STATES CIRCUIT JUDGE  
NINTH CIRCUIT COURT OF APPEALS

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17  
18 Dated: March 25, 2022

  
KIMBERLY MUELLER  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF CALIFORNIA

19  
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21  
22 Dated: March 25, 2022

  
JON S. TIGAR  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA

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28 <sup>2</sup> This order makes no findings regarding whether Defendants’ compliance with the benchmark is durable.