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

DANIEL J. MASTERSON,)
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 Plaintiff,)
)
 vs.)
)
 SILVIA HUERTA-GARCIA, et al.,)
)
 Defendants.)

Case No. 2:07-cv-01307-KJD-PAL

ORDER

(Mtn to Clarify - Dkt. #75)

This matter is before the court on Plaintiff’s Request to Clarify Motion to Instruct and for Reconsideration (Dkt. #75). The court has considered the motion.

Previously, Plaintiff filed a Motion (Dkt. #59) requesting the court direct the prison to provide him with additional copies. The court denied that motion because as a general matter, proceeding *in forma pauperis* does not entitle a Plaintiff to receive free copies. Plaintiff then filed the instant motion to clarify that he is not actually seeking free copies for himself; rather, he wants to ensure all parties are served pursuant to Fed.R.Civ.P. 5.

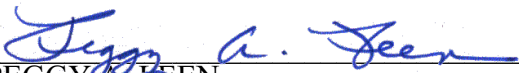
The institution in which Plaintiff is incarcerated only permits free copies of pleadings to be made for the court and the Attorney General’s office. Here, the Attorney General’s office represents all Defendants except Defendant Baker, who is represented by conflict counsel, Longyear, O’Dea, and Lavra, LLP. Plaintiff represents that the law library staff at the institution initially refused to accept that Defendant Baker was a party required to be served under Rule 5. Plaintiff requests clarification over who he should serve of the three parties when the prison only permits two copies.

Plaintiff appealed the prison’s decision, and it appears, based on the paperwork Plaintiff has attached to the motion, the prison has agreed to provide Plaintiff with three copies of his filings for purposes of this litigation. As a result, the request is moot. However,

Having reviewed and considered the matter,

1 **IT IS ORDERED** that Plaintiff's Motion for Clarification (Dkt. #75) is GRANTED. Plaintiff
2 is required to serve copies of his pleadings on (a) the court, (b) the Attorney General's office, and (c)
3 counsel for Defendant Baker at Longyear, O'Dea, and Lavra, LLP.

4 Dated this 22nd day of August, 2011.

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8 PEGGY A. LEEN
9 UNITED STATES MAGISTRATE JUDGE