

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

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LAWRENCE PAMER,  
Plaintiff,

No. CIV S-07-1902-MCE-CMK-P

vs.

ORDER

ARNOLD SCHWARZENEGGER, et al.,  
Defendants.

\_\_\_\_\_ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court are several motions Plaintiff has filed relating to his personal property, information on unserved defendants, and production of documents (Docs. 32, 60).

To the extent Plaintiff is requesting documents through discovery, that request is denied. Discovery will open and Plaintiff will have an opportunity to submit proper discovery requests to the defendants once an answer is filed and this case is at issue. Defendants are not obligated to produce any documents until that time. Once discovery is open, Plaintiff may utilize proper discovery methods to obtain the information he is seeking.

///

1 Plaintiff has also requested that defendants Tilton and Felker order their  
2 subordinates to produce, return or replace Plaintiff's personal property. To the extent Plaintiff is  
3 requesting the court issue an order against a non-party, this court is unable to issue such an order.  
4 The court cannot issue orders against individuals who are not parties to a suit pending before it.  
5 See Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100, 112 (1969). The request must,  
6 therefore, be denied. To the extent Plaintiff is requesting a court order for the defendants to  
7 return his personal property, that request is beyond the scope of this action. At issue in this  
8 action is Plaintiff's medical care and safety. To the extent he believes prison officials have  
9 violated his due process rights, he may seek judicial intervention by separate action as  
10 appropriate.

11 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for court order  
12 and motion to compel (Docs. 32, 60) are denied.

13  
14 DATED: March 3, 2010

15   
16 **CRAIG M. KELLISON**  
17 UNITED STATES MAGISTRATE JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26