

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

RICARDO VALDEZ,

Plaintiff,

vs.

CORRECTIONAL OFFICERS  
WALKER, GUFFEE, and VORON, et  
al.,

Defendant

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No. 2:08–CV–1978–DAE

ORDER DENYING MOTION

Before the Court is a second Motion to Reopen the Case filed by Plaintiff Ricardo Valdez (“Plaintiff”), a current inmate at the R.J. Donovan Correctional Facility in San Diego, California, on March 30, 2020, with the help of another inmate who can read and write in English. (Dkt. # 72.) Plaintiff previously filed a very similar motion on February 3, 2020 (Dkt. # 70), which this Court denied on February 6, 2020 (Dkt. # 71).

The facts underlying this case remain the same. This case has been closed since May 10, 2012, when this Court granted Defendants Walker, Guffee, and Voron’s (collectively, “Defendants”) Motion for Summary Judgment. (Dkt. # 58.) Plaintiff brought suit alleging that his requests for medical attention were ignored for approximately one year when he was housed in an administrative segregation unit at California State Prison in Sacramento. (Dkt. # 12.) Plaintiff

appealed this Court's judgment (Dkt. # 59) to the Ninth Circuit Court of Appeals on October 9, 2012. (Dkt. # 62.) The Ninth Circuit denied his appeal for lack of jurisdiction on November 8, 2012. (Dkt. # 66.)

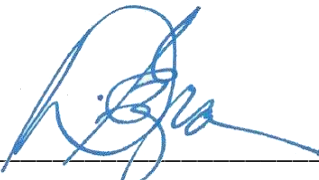
In this current motion, Plaintiff asserts that (1) the Court should reopen the case due to "extraordinary circumstances" as Plaintiff was not told that he was in the summary judgment stage and (2) Plaintiff should have been appointed an attorney. (Dkt. # 72.) As noted in its previous order, the Court cannot provide the relief requested by Plaintiff. Plaintiff applied to proceed in forma pauperis on November 12, 2008 (Dkt. # 6), which this Court granted on January 8, 2009 (Dkt. # 10). The time to request to be appointed counsel has long passed. Furthermore, the Court stands by its previous order granting summary judgment for Defendants. (Dkt. # 58.)

Thus, the Court **DENIES** Plaintiff's Motion and **ORDERS** that Plaintiff be sent a copy of this Court's order at his address of record.

**IT IS SO ORDERED.**

**DATED:** San Antonio, Texas, April 2, 2020.



  
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David Alan Ezra  
Senior United States District Judge