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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MALIK JONES,  
Plaintiff,

vs.

J.L. BISHOP, et al.,  
Defendants.

NO. CV-09-0150-JLQ

**ORDER DENYING MOTION FOR  
ORDER TO SHOW CAUSE**

The court has received the “Declaration of Malik Jones in Support of...an Order to Show Cause” (ECF No. 83) filed October 19, 2011. Mr. Jones claims that his wheelchair was seized on June 14, 2011 and that his health care power of attorney has been destroyed by prison officials in retaliation for the present litigation.

Plaintiff requests the court “urgently intervene” and order defendants to “show cause.” Plaintiff has not requested leave to amend his complaint, nor is it apparent that he can show good cause for allowing an amendment at this time as “unexhausted claims cannot be brought in court.” *Jones v. Bock*, 549 U.S. 199, 211 (2007). Plaintiff is required to comply with the grievance process in regard to his new claims of retaliation. Furthermore, the court finds the Plaintiff has not set forth grounds on which he would be entitled to interlocutory injunctive relief, which is an extraordinary remedy that the court applies only sparingly. The parties are however, directed to the 9<sup>th</sup> Circuit’s recent ruling that prisoners have a constitutional right to litigate their “claims challenging...the conditions of their confinement to conclusion

1 without active interference by prison officials.” *Silva v. Di Vittorio*, 2011 WL 4436248, \*9  
2 (September 26, 2011).

3 Plaintiff’s Motion for Order to Show Cause (**ECF No. 83**) is **DENIED**.

4 The Clerk is hereby directed to enter this Order and furnish copies to Plaintiff and  
5 counsel.

6 Dated November 1, 2011.

7 s/ Justin L. Quackenbush  
8 JUSTIN L. QUACKENBUSH  
9 SENIOR UNITED STATES DISTRICT JUDGE  
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