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

KELVIN HOUSTON,

Plaintiff,

No. CIV S-09-0178 EFB P

vs.

MIKE KNOWLES, et al.,

Defendants.

ORDER

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On June 30, 2010, this court dismissed plaintiff Kelvin Houston’s complaint pursuant to 28 U.S.C. § 1915A and granted plaintiff leave to file an amended complaint within 30 days. On July 20, 2010, plaintiff filed a “Request for Intervention,” informing the court that he requested access to the prison law library on or around July 5, 2010 and, as of July 18, 2010, had not been granted access. Dckt. No. 26. Plaintiff accordingly requests an order directing prison authorities to immediately allow him access to the library or extending the time in which he has to comply with the court’s order of June 30, 2010.

Prisoners have a fundamental right under the federal Constitution to access the courts. *Lewis v. Casey*, 518 U.S. 343, 346 (1996) (citing *Bounds v. Smith*, 430 U.S. 817 (1977)). The Constitution thus requires that prison authorities provide prisoners with the tools necessary to challenge their sentences and conditions of confinement. *Id.* at 355.

1 Plaintiff does not explain why he needs access to the law library to cure the defect in his  
2 complaint – his failure to state his claims in a short, concise, and understandable manner.  
3 However, the court will give plaintiff the benefit of the doubt and grant an additional 45 days  
4 from the date of this order to submit the amended complaint in compliance with the order of June  
5 30, 2010.

6 Accordingly, it is hereby ORDERED that:

7 1. Plaintiff's request for an order directing prison authorities to immediately allow him  
8 immediate access to the library is denied.

9 2. Plaintiff's request for an extension of time to comply with the court's June 30, 2010  
10 order is granted. Plaintiff shall have 45 days from the date of this order to submit an amended  
11 complaint complying with the June 30, 2010 order.

12 Dated: July 27, 2010.

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14 EDMUND F. BRENNAN  
15 UNITED STATES MAGISTRATE JUDGE  
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