

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

MICHAEL D. HICKMAN,

Plaintiff,

No. CIV S-09-2352 EFB P

vs.

JAMES WALKER, et al.,

Defendants.

ORDER

_____/

Michael D. Hickman, an inmate confined at the California Substance Abuse Treatment Facility and State Prison at Corcoran (“Corcoran”), filed this pro se civil rights action under 42 U.S.C. § 1983. By order dated August 26, 2010, the court dismissed plaintiff’s complaint with leave to amend. Plaintiff has now filed a motion requesting that the court order California State Prison – New Folsom to retrieve from another inmate the property he alleges in his complaint was taken from him. Dckt. No. 12. As the court has not determined the merits of plaintiff’s allegations (indeed, at present the complaint has been dismissed for failure to state a claim, plaintiff has yet to file an amended complaint, and no defendant has been served), plaintiff’s request is premature and is accordingly denied.

Dated: January 24, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE