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

JOSEPH B. MATTHEWS

Plaintiff,

No. CIV S-09-2415 GGH P

vs.

LAHEY, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

The court, by separate order, has found plaintiff’s complaint, filed on August 27, 2009, appropriate for service. Plaintiff also filed a motion for a preliminary injunction on August 27, 2009, (Doc. 4). In his complaint and motion for a preliminary injunction, plaintiff states that for the past nineteen months he has been denied proper medical treatment for his broken shoulder. Plaintiff also alleges that he was not provided with a clavicle brace or physical therapy as prescribed by the medical staff. Plaintiff states that he will suffer irreparable harm as his shoulder is healing incorrectly which is limiting his range of motion and is causing an arthritic condition in his hand. Plaintiff seeks treatment by a medical expert and to receive the clavicle brace and physical therapy.

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Accordingly, IT IS ORDERED that:

1. Defendant has fourteen (14) days to respond to plaintiff's motion for a preliminary injunction. The court intends to act on the motion within three weeks.

2. The Clerk of the Court is directed to send a copy of the original complaint (Doc. 1), the motion for a preliminary injunction (Doc. 4) and a copy of this order upon Monica Anderson, Supervising Deputy Attorney General.

3. In addition, the Clerk of the Court is directed to mail a copy of the original complaint (Doc. 1), the motion for a preliminary injunction (Doc. 4), and a copy of this order to the litigation coordinator at California State Prison - Solano.

DATED: October 21, 2009

/s/ Gregory G. Hollows  

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GREGORY G. HOLLOWES  
UNITED STATES MAGISTRATE JUDGE

GGH:ab  
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