

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

CLINTON WAGNER,

Plaintiff,

No. 2: 09-cv-3166 FCD KJN P

vs.

MOSS POSNER, et al.,

Defendants.

ORDER

_____ /

On March 25, 2010 and April 1, 2010, plaintiff filed motions for injunctive relief. Plaintiff alleges that he suffers from hepatitis B. Plaintiff requests that he be transferred to a prison that is able to provide him with the special diet he requires. Plaintiff also requests that he receive “immediate follow up medical care specialist examination” by either CT, MRI or liver biopsy.

On August 6, 2010, defendants filed an opposition to plaintiff’s motions for injunctive relief. Attached to the opposition is the declaration of Dr. Nangalama in which he describes the care plaintiff has received for hepatitis B. Dr. Nangalama states that on February 24, 2010, plaintiff was seen for a speciality consultation with a heptologist at UC Davis. The heptologist ordered a 4 phase CT of plaintiff’s abdomen along with AFP testing. Dr. Nangalama states that on April 16, 2010, he completed a referral on plaintiff’s behalf to UC Davis radiology

1 for the CT scan that had been previously ordered by the hepatologist on February 24, 2010. In his
2 declaration, dated August 6, 2010, Dr. Nangalama does not state whether plaintiff has yet
3 received the CT scan and AFP testing ordered by the hepatologist on February 24, 2010.

4 Accordingly, IT IS HEREBY ORDERED that within ten days of the date of this
5 order, defendants shall inform the court of the status of the CT scan and AFP testing ordered for
6 plaintiff by the hepatologist at UC Davis on February 24, 2010.

7 DATED: August 26, 2010

8
9
10 
11 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

12 wag3166.fb
13
14
15
16
17
18
19
20
21
22
23
24
25
26