

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

VINCENTE SOLOMON,

Plaintiff,

No. CIV S-10-2103 WBS GGH P

vs.

J. NEGRETE, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. This court, by order, filed on June 21, 2011, found the amended complaint in the instant action appropriate for service as to thirteen defendants.¹ Plaintiff has been unable to return the documents necessary for service due at least in part to inaction on the part of one or more prison officials, an issue that is dealt with in a separate order. On September 8, 2011, plaintiff filed a motion, which the court construes as a request for a preliminary injunction, asking the court to order that his pain medications be renewed. Plaintiff alleges that Dr. Tate, one of the named defendants, has abruptly cut him off from necessary pain medications for no medical reason,

¹ Nearly thirty other defendants and some claims against the remaining defendants have been dismissed. See Order, filed on July 21, 2011, adopting Findings and Recommendations, filed on June 21, 2011.

1 essentially asserting that this action constitutes a form of a retaliation for plaintiff's having filed
2 the instant lawsuit.

3 Accordingly, IT IS ORDERED that:

4 1. Within fourteen days of the date of this order, defendant Dr. Tate must file a
5 response to plaintiff's motion, filed on September 8, 2011, construed as a motion for preliminary
6 injunctive relief. There will be no extension of time granted for defendant's response; and

7 2. The Clerk of the Court is directed to serve a copy of pages 1 through 3 and
8 pages 68 through 75² of the amended complaint, filed on June 6, 2011 (docket # 25), a copy of
9 plaintiff's motion for preliminary injunctive relief, filed on September 8, 2011 (docket # 41), and
10 a copy of this order on defendant Dr. Tate at California Correctional Institution / 24900
11 California 202 / Tehachapi, CA 93561-5558 (P.O. Box 1031 / Tehachapi, CA 93581 Attn.: Dr.
12 Tate) and on Monica Anderson, Supervising Deputy Attorney General.

13 DATED: September 16, 2011

14 /s/ Gregory G. Hollows
15 UNITED STATES MAGISTRATE JUDGE

16 GGH:009
17 solo2103.ord6

18
19
20
21
22
23
24
25
26

² The court's electronic pagination is referenced.