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

MICHAEL TENORE,

Plaintiff,

No. 2:11-cv-1082 WBS CKD P

vs.

NATHANAEL GOODGAME, et al.,

Defendants.

ORDER

_____ /

This pro se action brought pursuant to 42 U.S.C. § 1983 is in the discovery stage. In the motion before the court, plaintiff seeks an order granting him frequent contact with his “inmate paralegal assistant and witness” Thomas Hightower (No. J98566), including the ability to mail legal materials to each other at their respective institutions. Plaintiff is currently incarcerated at Valley State Prison; Mr. Hightower is at Mule Creek State Prison. Plaintiff does not explain what knowledge Hightower has of facts relevant to the instant claims. (Dkt. No. 40.)

Defendants have opposed the motion. (Dkt .No. 41.) They assert that plaintiff can request approval to correspond with Hightower pursuant to California Code of Regulations tit. 15 § 3139, which sets forth a procedure by which inmates may apply to correspond with other inmates. “There shall be no limits set on the number of times approved inmates . . . can correspond with each other” unless approval is revoked due to disciplinary, safety or security

1 reasons. 15 Cal. Code Regs. § 3139(d).

2 As plaintiff does not allege that he requested to correspond with Hightower
3 through available means, or that such a request was unreasonably denied, the court will deny
4 plaintiff's motion.

5 Accordingly, IT IS HEREBY ORDERED THAT plaintiff's January 14, 2013
6 Motion for Court-Ordered Access Via Correspondence (Dkt. No. 40) is denied.

7 Dated: February 6, 2013

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CAROLYN K. DELANEY
10 UNITED STATES MAGISTRATE JUDGE

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