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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY O'KEEFE,
Plaintiff,
v.
JERRY BROWN, et al.,
Defendants.

No. 2: 11-cv-2659 KJM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. This action is set for a settlement conference before the undersigned on September 11, 2018.

Plaintiff is housed at the California Health Care Facility ("CHCF") in Stockton, California. On August 23, 2018, plaintiff filed a motion requesting that counsel be appointed to represent him at the settlement conference. In the alternative, plaintiff requests that the court order officials at CHCF to provide him access to his legal property relating to this action.

In support of the pending motion, plaintiff alleges that since his arrival at CHCF on May 17, 2018, prison officials have refused to grant him access to his legal property because he is classified as "treat and return." Plaintiff alleges that without his legal property, he cannot prepare a settlement conference statement.

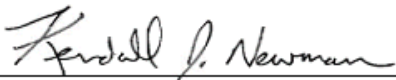
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Good cause appearing, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for appointment of counsel to represent him at the settlement conference (ECF No. 313) is denied;
2. Upon receipt of this order, defendants shall immediately direct officials at CHCF to provide plaintiff with access to his legal property related to this action;¹ on or before Tuesday, September 4, 2018, defendants shall file a status report addressing plaintiff's access to his legal property.

Dated: August 29, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

Ok2659.lp

¹ No defendants are located at CHCF. However, defendant Tebrock is the Deputy Director of the Statewide Mental Health Program for the California Department of Corrections and Rehabilitation. In this capacity, defendant Tebrock is capable of responding to this order directing officials at CHCF to provide plaintiff with access to his legal property.