IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

THURMAN LEROY SPENCER,

         Petitioner,   No. 2:13-cv-0372 GEB KJN P

    vs.

PEOPLE OF THE STATE OF
CALIFORNIA,

        Respondent.   <u>ORDER</u>

                                                /

         In response to this court's order filed June 14, 2013 (ECF No. 21), counsel for

defendant, together with the litigation coordinator of California State Prison-Sacramento, have

informed the court that petitioner received full access to his legal materials on June 21, 2013

(ECF No. 24). Petitioner signed a statement, reflecting the same date, which indicates that he

"had the opportunity to access his personal property and is in possession of all legal documents

or materials from his property pertaining to his court appearance." (ECF No. 24 at 10.) While

the court notes petitioner's additional handwritten statement, on the same form, that "[t]here may

be documents missing are (sic) stolen!" (<u>id.</u>), the court is persuaded that petitioner has been

provided full access to all of his available legal documents. Moreover, the undersigned has

devoted more than three months to assuring such access, so that petitioner has adequate time and

access to his legal materials to respond to this court's March 11, 2013 recommendation that this

1   action be dismissed without prejudice (ECF No. 7.)

2   Accordingly, IT IS HEREBY ORDERED that:

3   1. Petitioner shall file and serve his objections to the court's findings and

4   recommendations issued March 11, 2013 (ECF No. 7), on or before July 15, 2013.

5   2. Respondent may file and serve any response thereto within seven (7) days after

6   service of petitioner's objections.

7   3. No further extensions of time will be granted.

8   4. Any further requests by petitioner for access to his legal materials will be

9   viewed with disfavor, and may subject petitioner to an order to show cause why sanctions should

10 not be imposed.

11   SO ORDERED.

12 DATED: June 24, 2013

13

14 _____
    KENDALL J. NEWMAN

15 UNITED STATES MAGISTRATE JUDGE

16 /spen0372.ext.dl

17

18

19

20

21

22

23

24

25

26