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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRELL SMITH,  
Plaintiff,  
v.  
DR. ABDUR RAHMAN,  
Defendant.

No. 2:13-cv-0738 KJN P

ORDER

Plaintiff is a state prisoner proceeding without counsel. In plaintiff’s complaint, plaintiff alleges defendant was deliberately indifferent to plaintiff’s serious medical needs, and plaintiff appended various medical records. (ECF No. 1.) On September 16, 2013, the undersigned issued a discovery and scheduling order which set the discovery deadline for January 3, 2014. (ECF No. 18.) On December 4, 2013, plaintiff filed a document styled, “Motion to Compel,” in which plaintiff states he “is having trouble getting a copy and review of medical and mental health records” prior to his deposition scheduled on December 16, 2013. (ECF No. 20.) Plaintiff provided a copy of his November 26, 2013 inmate request for interview form in which plaintiff states he “was ducated a month ago and signed trust withdrawal.” (ECF No. 20 at 2.)

It appears that plaintiff has timely attempted to gain access to these materials by following prison procedures, to no avail. Plaintiff is entitled to review his medical records, particularly to prepare for his deposition. Given the proximity of plaintiff’s deposition, counsel for defendant is

1 directed to contact the litigation coordinator at California State Prison, Solano, to ensure that  
2 plaintiff has adequate access to his medical and mental health records prior to the December 16,  
3 2013 deposition.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's December 4, 2013 motion (ECF No. 20) is partially granted; and
- 6 2. Counsel for defendant is directed to forthwith contact the litigation coordinator at  
7 California State Prison, Solano, to ensure that plaintiff is granted access to his medical and mental  
8 health records prior to the December 16, 2013 deposition.

9 Dated: December 12, 2013

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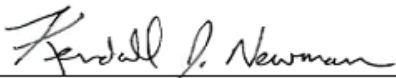
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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE