

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
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THURMAN LEROY SPENCER,
Plaintiff,
v.
S. PAINTER, et al.,
Defendants.

No. 2:13-cv-02108 DAD P

ORDER

Plaintiff, a state prisoner proceeding pro se with a civil rights complaint, has filed a motion for a court order to obtain unrestricted access to his ten boxes of legal property and to the prison law library. On April 10, 2014, the court dismissed plaintiff's complaint and granted him leave to file an amended complaint. In that order the court also provided plaintiff with the legal standards governing the legal claims it appeared he was attempting to present and explained to him how to cure the deficiencies noted in his original complaint. In his motion now pending before the court plaintiff does not explain what specific contents within his ten boxes of legal property are necessary for him to gain access to in order to draft his amended complaint. Moreover, it appears that most of the facts to be alleged in support of plaintiff's claims should be within his personal knowledge. Therefore, plaintiff has not demonstrated that he currently requires access to all of his voluminous legal property and/or in need of unlimited access to the prison law library in order to comply with the court's April 10, 2014 order. In the interest of

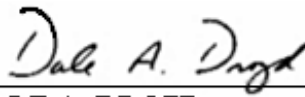
1 justice, however, the court will grant plaintiff additional time to file his amended complaint in the
2 event he wishes to proceed with this civil rights action.

3 In accordance with the above, IT IS HEREBY ORDERED that:

4 1. Plaintiff's May 8, 2014 motion for a court order to have unrestricted access to his legal
5 property and the law library (ECF No. 21) is denied; and

6 2. Within thirty days from the date of this order, plaintiff shall file his amended complaint
7 as set forth in the court's April 10, 2014 order.

8 Dated: May 15, 2014

9 

10 _____
11 DALE A. DROZD
12 UNITED STATES MAGISTRATE JUDGE

13 DAD:4
14 spen2108.access

15
16
17
18
19
20
21
22
23
24
25
26
27
28