

1 California Health Care Facility to determine the ways in which plaintiff is currently supported in
2 his pursuit of this action, and to specifically identify all potential additional means and methods
3 for constructively supporting plaintiff through the conclusion of this action.” ECF No. 57 at 4. In
4 response, the AG informed the court, with a supporting declaration from CHCF ADA
5 Coordinator T. Weinholdt, of the visual-assistance machines and disability support staff available
6 to help plaintiff. See ECF No. 60. However, this response does not address plaintiff’s current
7 challenges in conducting legal research during the limited periods he is permitted to use the
8 prison law library. Plaintiff’s affidavit provides in pertinent part, ECF No. 74-1 at 2, ¶¶ 2, 3:

9 On 11-15-16, I visited the Law Library, where I requested the
10 assistance of the staff and clerks to help me locate the cases that the
11 defendant used in their motion to dismiss. The staff instructed clerk
12 [inmate #1] to assist me. Unfortunately, he didn’t even know how
13 to operate the Nexus/Lexus computer. Then, the other clerk
14 [inmate #2] came over, but he also had trouble. Within the 4 hours
15 that I was there, he was only able to locate one case, and even then
16 he refused to take notes.

17 On 11-22-15, I again visited the Law Library, where again I sought
18 the assistance of staff. I spoke with the senior Librarian, and
19 informed him that I needed help located certain cases in order to
20 respond to the defendants Motion to dismiss. He then informed
21 [me] that there were no clerks there that day to assist me.

22 Due to plaintiff’s legitimate concerns, the court will again request that the AG specifically
23 contact both the CHCF Litigation Coordinator and CHCF Law Librarian to address these matters.

24 Accordingly, IT IS HEREBY ORDERED that:

25 1. Plaintiff’s request for extended time, ECF No. 75, is denied as moot; pursuant to court
26 order filed November 29, 2016, see ECF No. 73, plaintiff’s oppositions to defendants’ motions to
27 dismiss are due on or before January 20, 2017.

28 2. Plaintiff’s “motion for leave of for ex parte communication,” ECF No. 74, is granted.

 3. The Office of the California Attorney General¹ is requested to:

 a. Contact the CHCF Litigation Coordinator and CHCF Law Librarian to identify

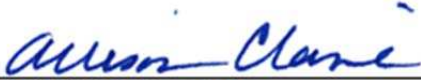
¹ The court realizes that this task necessarily falls on Deputy Attorney General Matthew Ross Wilson, who represents one of the three defendants. Mr. Wilson’s continuing helpful assistance is duly noted.

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the ways in which plaintiff is, or can in the near future be, personally supported in conducting legal research in this action, and in timely preparing, filing and serving his legal documents.

b. Within 30 days after the filing date of this order, file and serve a statement that sets forth the findings of this inquiry and includes the declarations of both the CHCF Litigation Coordinator and CHCF Law Librarian.

DATED: December 2, 2016



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE