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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT EDWARD DAHL, JR.,
Plaintiff,
v.
TIMOTHY VIRGA, et al.,
Defendants.

No. 2:14-cv-0949 AC P

ORDER

On April 22, 2015, this court dismissed plaintiff’s First Amended Complaint with leave to file a Second Amended Complaint within thirty days. See ECF No. 16. Thereafter, plaintiff filed two matters which the court construes as a request for extension of time within which to file a Second Amended Complaint. See ECF Nos. 17, 18. The request will be granted.

In addition to granting plaintiff extended time, the court has reviewed plaintiff’s concerns in light of his several recent transfers among prisons, and finds it appropriate to request that the Office of the California Attorney General inquire as the current location of all plaintiff’s personal property. Plaintiff’s various exhibits indicate that, since 2012, he has been incarcerated at California State Prison-Sacramento (CSP-SAC), Kern Valley State Prison, the California Medical Facility, and then again at CSP-SAC; and that plaintiff’s property has routinely lagged behind. See e.g., ECF No. 18 at 3; see generally the filings in this case; see also Dahl v. Virga et al., Case No. 2:13-cv-02313-CMK, ECF Nos. 15-6. The Office of the Attorney General is requested to

1 contact appropriate officials at the California Department of Corrections and Rehabilitation
2 (CDCR) and/or the appropriate prisons, and inquire as to: (1) the current location of all plaintiff's
3 personal property, inventoried if possible; (2) whether plaintiff currently has possession of all his
4 property; and (3) if not, why and, if applicable, when plaintiff will achieve such possession.
5 Because no defendants have been served process in this case, this order will be directed to a
6 Supervising Deputy Attorney General.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. The Office of the California Attorney General is directed to contact CDCR authorities
9 and/or prison authorities at plaintiff's recent places of incarceration, to investigate the matters set
10 forth above, for the period January 1, 2012, through the date of inquiry. The Supervising Deputy
11 Attorney General or her designee is requested to file a status report with the court, and serve a
12 copy of the report on plaintiff, within fourteen (14) days after the filing date of this order.

13 2. Plaintiff may file his proposed Second Amended Complaint on or before June 26,
14 2015; failure to timely file a proposed Second Amended Complaint will result in the dismissal of
15 this action without prejudice.

16 2. The Clerk of Court is directed to:

17 a. Redesignate on the docket, at ECF No. 17, that the matter filed is a "Notice" (not
18 Notice of Voluntary Dismissal).

19 b. Redesignate on the docket, at ECF No. 18, that the matter filed is construed as a
20 "Request for Extension of Time."

21 c. Send plaintiff, together with a copy of this order, the following:

- 22 1. A copy of the court's order filed April 22, 2015 (ECF No. 16);
- 23 2. A copy of plaintiff's First Amended Complaint (ECF No. 15);
- 24 3. A copy of plaintiff's original complaint (ECF No. 1); and
- 25 4. A blank copy of the form used by prisoners in this district to commence a civil
26 rights action pursuant to 42 U.S.C. § 1983.

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d. Finally, because no defendant has been served process in this case, the Clerk of Court is directed to serve a copy of this order on the Office of the California Attorney General, Attention: Supervising Deputy Attorney General Monica Anderson.

SO ORDERED.

DATED: May 20, 2015



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE