

1 cooperate. Plaintiff asks the court to provide a court-appointed doctor to deal with plaintiff's
2 medical issues.

3 First, the court is not in receipt of a motion for emergency injunctive relief filed in this
4 action. However, plaintiff has numerous other cases pending in this court, and it is not clear
5 whether plaintiff is pursuing the medical claims raised in the instant motion in any of those
6 actions. As a pro se litigant, plaintiff is responsible for keeping track of his cases and filing his
7 motions in the appropriate action.

8 Second, plaintiff's requests concerning medical care at the California Substance Abuse
9 Treatment Facility in Corcoran, California, are not properly raised in this action. As set forth
10 above, this action is proceeding on concrete claims against defendants in Yolo County, all of
11 which stem from a July 3, 2014 traffic accident, and the issue of whether defendants were
12 deliberately indifferent to plaintiff's safety based on their alleged failure to provide safety belts in
13 the van. Plaintiff's subsequent medical care at a state prison does not involve the instant
14 defendants. Under these circumstances, this court is unable to issue an order against individuals
15 who are not parties to a suit pending before it. Zenith Radio Corp. v. Hazeltine Research, Inc.,
16 395 U.S. 100 (1969). Moreover, plaintiff's subsequent medical care, particularly concerning
17 medication that plaintiff has been taking for two years, which suggests it was prescribed for
18 medical conditions predating the July 3, 2014 accident, is not related to the legal issues
19 proceeding in this action. George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007); see also Fed. R.
20 Civ. P. 20(a)(2) (joinder of defendants not permitted unless both commonality and same
21 transaction requirements are satisfied). Thus, plaintiff may not pursue these medical claims in
22 this action.

23 Third, because plaintiff is now housed at the California Substance Abuse Treatment
24 Facility in Corcoran, California, civil rights claims concerning his medical care must be raised in
25 the Fresno Division of this court.

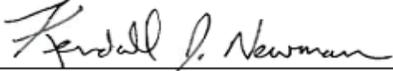
26 Finally, although plaintiff states that he "cannot appeal the cancellation" (ECF No. 18 at
27 2) of his medical 602 or administrative appeal, the appended cancellation notice states that "[t]his
28 screening action may not be appealed unless you allege that the above reason is inaccurate."

1 (ECF No. 18 at 4.) Because plaintiff claims that the appeal was wrongfully cancelled based on
2 plaintiff's alleged failure to cooperate in the interview because plaintiff wasn't housed at that
3 prison during the time of the alleged lack of cooperation, plaintiff may want to seek
4 reconsideration of the cancellation of his 602 grievance on that basis. The last paragraph of the
5 November 13, 2014 administrative appeal cancellation notice explains how to request
6 reconsideration of a cancelled appeal. (ECF No. 18 at 4.)

7 Accordingly, IT IS HEREBY ORDERED that plaintiff's November 24, 2014 motion
8 (ECF No. 18) is denied without prejudice.

9 Dated: December 5, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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