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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES HAMPTON,  
Plaintiff,  
v.  
R. HAYNIE, et al.,  
Defendants.

No. 2:14-cv-2038 KJN P

ORDER

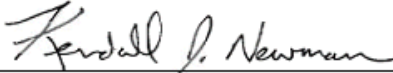
Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a second document styled, “Motion for Writ of Mandate or to Impose Sanctions.” (ECF No. 19.) Plaintiff claims his property was taken from him on November 30, 2014, and was not transferred with him when he was transferred to the California State Prison in Lancaster. Plaintiff states that on January 27, 2015, Sgt. Bowen told plaintiff that Bowen contacted High Desert State Prison (“HDSP”), and Bowen was informed that plaintiff’s property “was coming.” (ECF No. 19 at 2.) Plaintiff claims this was a follow-up phone call from a previous call on January 9, 2015. (*Id.*) By February 9, 2015, plaintiff still had not received his property. (ECF No. 19 at 5.) In the appended request for interview form, Sgt. Bowen noted that HDSP indicated on January 27, 2015, that plaintiff’s property “was not sent yet but it would be sent.” (ECF No. 19 at 8.) Plaintiff arrived in Lancaster on January 8, 2015.

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1 Plaintiff is advised that often inmates' property is not transferred with the inmate, and it is  
2 not uncommon for the delivery of property to be delayed. Plaintiff is not entitled to sanctions for  
3 a delay in delivery of his property. Plaintiff should continue to seek return of his property  
4 through prison officials, and may avail himself of the administrative appeal process should such  
5 efforts prove unavailing. As plaintiff was previously informed, at the present time, no action on  
6 plaintiff's part is required in these proceedings, there are no legal deadlines pending. (ECF No.  
7 13.) The U.S. Marshal is executing service of process on defendants. If plaintiff has not received  
8 his property by the time defendants have filed an answer, plaintiff may seek the court's  
9 intervention at that time.

10 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion (ECF No. 19) is denied  
11 without prejudice.

12 Dated: February 26, 2015

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15 KENDALL J. NEWMAN  
16 UNITED STATES MAGISTRATE JUDGE

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