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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN RAZO RAMIREZ,
Plaintiff,
v.
BRIAN DUFFY, et al.,
Defendants.

No. 2:16-cv-0234 KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. Plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). On September 15, 2016, plaintiff filed a letter recounting the history of his mental health issues, including suicidal ideation, and difficult housing conditions that prevented him from timely complying with the court’s orders. Plaintiff is now living in Level 2 dorm housing at the California Substance Abuse Treatment Facility (“CSATF”) in Corcoran,¹ but claims that custody officials still refuse to provide plaintiff with his property, apparently including the form civil rights complaint.

However, there are prison procedures in place for inmates to obtain access to their legal materials, whether or not they are allowed to retain property in their cells or dorm areas. Although plaintiff contends that custody staff will not give him his personal property, plaintiff

¹ The office of the California Attorney General earlier provided an informal response confirming that plaintiff can be safely housed and provided mental health care at CSATF. (ECF No. 5 at 2.)

1 does not allege that he has attempted to use prison procedures to access or requested to access his
2 legal materials in order to meet a court deadline. Rather, plaintiff refers to his “personal
3 property,” which is a much broader category than a request to access his legal materials. Even if
4 plaintiff is not allowed to possess his personal property and legal materials at his dorm, he is
5 allowed to access his legal materials, particularly to meet a court deadline. If plaintiff is unaware
6 of such procedures, he should speak with his correctional counselor or the litigation coordinator.

7 In an abundance of caution, plaintiff is granted another thirty days in which to file an
8 amended complaint that complies with the August 11, 2016 order. Plaintiff is cautioned that
9 failure to timely file an amended complaint on the court’s form will result in an order dismissing
10 this action based on his failure to comply with court orders. Fed. R. Civ. P. 41(b).

11 Accordingly, IT IS HEREBY ORDERED that:

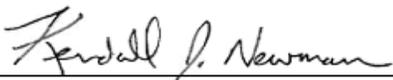
12 1. Plaintiff’s request for extension of time (ECF No. 21) is granted.

13 2. Within thirty days from the date of this order, plaintiff shall submit the following
14 document to the court: An original and one copy of the Amended Complaint filed on the court’s
15 form. Plaintiff’s amended complaint shall comply with the requirements of the Civil Rights Act,
16 the Federal Rules of Civil Procedure, and the Local Rules of Practice. The amended complaint
17 must also bear the docket number assigned to this case and must be labeled “Amended
18 Complaint.”

19 Failure to file an amended complaint in accordance with this order, including a failure to
20 file the amended complaint on the court’s form, will result in the dismissal of this action.

21 3. The Clerk of the Court is directed to send plaintiff the form for filing a civil rights
22 complaint by a prisoner.

23 Dated: September 19, 2016

24 
25 _____
26 KENDALL J. NEWMAN
27 UNITED STATES MAGISTRATE JUDGE

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