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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY GIRALDES, JR.,
Plaintiff,
v.
ALICE NICOLAI, et al.,
Defendants.

No. 2:16-cv-0497 KJM AC P

ORDER


Larry Giraldes, Jr. (“plaintiff”) is a state prisoner proceeding pro se with this action pursuant to 42 U.S.C. § 1983. Now pending before the court is his motion for court order as to medical files. ECF No. 50. Plaintiff argues that defendants should be required to produce his entire medical file on or before August 23, 2017 so that he may prove their dishonesty. Id. at 1. He states that, in seeking an extension of time to respond to his motion for emergency injunctive relief, defendants were “careful to stop the [medical] records at July 28, 2017” to obscure the fact that his morphine was “taken totally” thereafter. Id. Plaintiff also relates an incident that allegedly occurred on August 9, 2017 wherein an unidentified physician told plaintiff that no court could dictate what care he would provide. Id. at 2.

The court will deny plaintiff’s motion. He does not indicate that he has sought the relevant portions of his medical file through the prison’s own procedures, namely the “Olsen review” process. See In re Olson, 37 Cal. App. 3d 783, 112 Cal. Rptr. 579 (1974). If, after

1 undertaking that process, plaintiff believes that he needs additional time to file a reply he may
2 motion for an appropriate extension of time. Alternatively, if the Olsen review request is denied,
3 plaintiff may renew his motion.

4 It is THEREFORE ORDERED that plaintiff's motion for court order as to medical files
5 (ECF No. 50) is DENIED without prejudice.

6 DATED: August 15, 2017

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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