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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARMANDO GIL,
Plaintiff,
v.
S. SPAULDING, et al.,
Defendants.

No. 2:16-cv-0587 GEB KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se. In support of defendants’ motion for summary judgment, appeals coordinator Clark declares that any delay in processing mail in August of 2015 would have been recorded “in order for an appeal not to be canceled as untimely,” and no such delay was recorded. (ECF No. 43-3 at 4.) Defendants provided no documentary evidence to support such statement. It is unclear whether prison staff maintain a log concerning delayed mail that might show a gap in time where no delay in August 2015 was recorded, or what documentary evidence Clark reviewed in order to make such statement about mail delivery.

It is also unclear whether plaintiff’s mail log may reflect his receipt of the second level review.

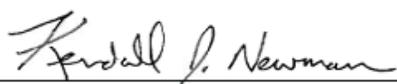
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Good cause appearing, defendants shall submit to the court any log or other documentary evidence for the time frame August 17, 2015, through September 29, 2015, that may or may not reflect a delay in mail from the appeals office to plaintiff or other prisoners housed with plaintiff, as well as a copy of plaintiff's mail log for the time frame August 17, 2015, through September 29, 2015.

Accordingly, IT IS HEREBY ORDERED that within twenty-one days from the date of this order, defendants shall provide the documentary evidence described above.

Dated: November 7, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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