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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM JOHNSON,
Plaintiff,
v.
J. CHAU, et al.,
Defendants.

No. 2:16-cv-1536 JAM KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se, with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a motion for a temporary restraining order and preliminary injunction. Plaintiff suffers from multilevel cervical spondylitis, worse at C4-5, and second worse at C5-6, with bilateral mild to moderate foraminal stenosis, and a right-sided herniated nucleus pulposus. Plaintiff states that multiple specialists have advised plaintiff that he should be specially housed to protect him from paralysis or death due to his medical conditions. Plaintiff claims that despite having a permanent CDCR 7410 Comprehensive Accommodation Chrono (“chrono”) for ground floor, limited stairs (ECF No. 36 at 20), and despite multiple efforts on his behalf to demonstrate to prison staff that he should not be housed on the upper tier due to his very serious medical issues, plaintiff was required to move to an upper tier. Plaintiff alleges that he sustained another neck injury while he was required to physically move his property, and states he had not yet been seen by medical staff for such injury despite submitting seven health care


1 requests. Plaintiff contends he continues to be at risk due to the increased number of stairs he
2 now has to take.

3 Plaintiff alleges that he is at serious risk of paralysis or death due to his recent move to the
4 upper tier, contrary to the permanent chrono requiring that plaintiff be housed on the lower tier.
5 Plaintiff seeks an injunction requiring prison officials to return him to a lower tier cell, and
6 restrain defendants from altering his permanent lower tier status.

7 In light of plaintiff's allegations of a threat of imminent serious harm, the court directs
8 defendants to respond to plaintiff's motion, including the status of plaintiff's current housing, and
9 whether medical staff have evaluated plaintiff's recent neck injury.

10 In accordance with the above, IT IS HEREBY ORDERED that within seven days from
11 the date of this order, defendants shall address plaintiff's motion for injunctive relief, as set forth
12 above.

13 Dated: March 5, 2018

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16 KENDALL J. NEWMAN
17 UNITED STATES MAGISTRATE JUDGE

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