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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRZYSZTOF F. WOLINSKI,
Plaintiff,
v.
J. LEWIS, et al.,
Defendants.

No. 2:17-cv-00583 MCE AC P

ORDER

Plaintiff, who is a state prisoner, has filed a motion for court order. ECF No. 19. Specifically, he seeks an order directing Daniel Paramo, the Warden of the R.J. Donovan Correctional Facility (“R.J. Donovan”), to provide him with adequate access to the unit law library. Id. at 1. Warden Paramo is not a defendant to this action, however, and the court does not have jurisdiction over him. See, e.g., Zepeda v. United States Immigration Service, 753 F.2d 719, 727 (9th Cir. 1985) (“[A] federal court may [only] issue an injunction if it has personal jurisdiction over the parties and subject matter jurisdiction over the claim; *it may not attempt to determine the rights of persons not before the court.*”) (emphasis added). Consequently, plaintiff’s motion must be denied.

The court will, however, request that defendants’ counsel undertake an inquiry into plaintiff’s claims that he is being denied law library access. Counsel is not required to investigate plaintiff’s claims that such a denial (assuming one is being perpetrated) is premised on retaliation

1 for protected actions plaintiff has undertaken at R.J. Donovan.¹ The court is merely interested in
2 determining plaintiff's level of access to law library resources. Defendants' counsel should notify
3 the court of his findings by way of a short written filing within fourteen days of this order's entry.

4 It is **THEREFORE ORDERED** that:

- 5 1. Plaintiff's motion for a court order (ECF No. 19) is DENIED; and
- 6 2. Within fourteen days of this order's entry defendants' counsel should file a short
7 written statement notifying the court of his findings regarding plaintiff's law library access.

8 DATED: September 25, 2017

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10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE

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¹ Plaintiff may litigate such a claim by filing a separate lawsuit in the appropriate district court.