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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONNIE CHEROKEE BROWN,  
Plaintiff,  
v.  
C. REIF, et al.,  
Defendants.

No. 2:18-cv-01088 CKD P

ORDER

Plaintiff is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. In the complaint filed on May 1, 2018, plaintiff alleges that three correctional officers at California State Prison in Sacramento (“CSP-Sac”) violated the Eighth Amendment on December 1, 2017 by body-slammng him to the ground while he was handcuffed, and then repeatedly punching him. By separate order, the undersigned concluded that plaintiff stated a cognizable Eighth Amendment excessive force claim against defendants C. Reif, S. Overby, and J. Gomez and ordered plaintiff to proceed to serve the complaint on these defendants or to amend his complaint to correct other deficiencies outlined in the same order.

On May 1, 2018 plaintiff filed a motion for a temporary restraining order that fails to comply with Local Rule 231. However, on June 4, 2018, plaintiff filed another motion for injunctive relief indicating that his life and safety are threatened. Specifically, plaintiff indicated that defendant C. Reif, who continues to work in the same prison unit where plaintiff is housed,


1 has threatened “to break his neck” in retaliation for filing the instant civil rights lawsuit. ECF No.  
2 12 at 2-3. Plaintiff seeks an order preventing the defendants in this action from retaliating against  
3 him by spitting in his food, tampering with his mail, waking him up in the middle of the night,  
4 and threatening to beat him up. Id. at 2. Alternatively, plaintiff requests to be transferred to  
5 another prison’s Enhanced Outpatient Program (“EOP”) while the current lawsuit is pending. Id.  
6 at 3.

7 In light of plaintiff’s allegations of a threat of imminent harm, the court directs  
8 Supervising Deputy Attorney General Christopher Becker to file a special appearance in this  
9 action and to file a response to plaintiff’s motion for injunctive relief.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff’s May 18, 2018 motion for a temporary restraining order (ECF No. 10) is  
12 denied for failing to comply with Local Rule 231.
- 13 2. Within fourteen days from the date of this order, Supervising Deputy Attorney  
14 General Christopher Becker shall file a special appearance and a response to plaintiff’s  
15 motion for injunctive relief (ECF No. 12).
- 16 3. The Clerk of Court is directed to serve this order, a copy of plaintiff’s complaint (ECF  
17 No. 1), and a copy of the motion for injunctive relief (ECF No. 12) on Supervising  
18 Deputy Attorney General Christopher Becker.

19 Dated: June 15, 2018

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22 CAROLYN K. DELANEY  
23 UNITED STATES MAGISTRATE JUDGE  
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