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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH DELGADO,
Plaintiff,
v.
JOE A. LIZARRAGA, et al.,
Defendants.

No. 2:19-cv-1540 KJM KJN P

ORDER

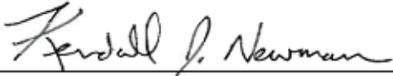
Plaintiff is a state prisoner, proceeding pro se, in an action brought under 42 U.S.C. § 1983. On August 20, 2020, defendants Barton and Scheurer (hereafter “defendants”) filed a motion to compel responses to requests for production of documents and special interrogatories, contending that plaintiff failed to respond to defendants’ discovery requests. On September 24, 2020, plaintiff filed a motion for the appointment of counsel.

Plaintiff’s motion was presented to prison staff for mailing on September 10, 2020. Aside from requesting counsel, plaintiff claims he has no access to the prison law library due to the COVID-19 pandemic, and that non-inmate library staff are prohibited from entering plaintiff’s housing unit. Plaintiff also claims he has been unable to “obtain the defendants’ requested discovery from the CDCR,” or to access photocopying services. Therefore, the court construes plaintiff’s timely-filed motion as an opposition to defendants’ motion. So construed, defendants shall file a reply to plaintiff’s pertinent allegations, including, but not limited to, plaintiff’s

1 alleged complete inability to attend the law library, to access photocopy services, or to obtain
2 copies of medical records (due to his indigency) that he needs to respond to defendants' discovery
3 requests, as well as the impact of COVID-19 on his ability to prosecute this action.

4 Accordingly, IT IS HEREBY ORDERED that within twenty-one days from the date of
5 this order, defendants shall file a reply as set forth above.

6 Dated: October 15, 2020

7 
8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

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