

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RONALD EUGENE JAMES,
Plaintiff,
v.
RICHARDSON, et al.,
Defendants.

No. 2:23-CV-0853-DC-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court are Plaintiff’s motions regarding law library access. See ECF No. 23 and 38.

On November 12, 2024, the District Judge issued an order directing that this action proceed on the first amended complaint on Plaintiff’s Claim I for retaliation against Defendants Powell and Almed, and Plaintiff’s Claim IV for medical deliberate indifference against Defendants Richardson and Banks. See ECF No. 29. All other claims and defendants were dismissed. See id. Defendants filed their answer on January 7, 2025, see ECF No. 32, and the case has been scheduled, see ECF No. 34.

///
///
///

1 In the pending motions, Plaintiff states that non-party staff at the Sacramento
2 County Main Jail is not affording him preferred law library use privileges incident to his status as
3 a prisoner proceeding pro se and in forma pauperis. See ECF Nos. 23 and 38. While the Court is
4 unable to grant Plaintiff relief in the form of an order directing non-party jail staff to grant
5 Plaintiff law library access, see Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100
6 (1969), and injunctive relief would otherwise be inappropriate because Plaintiff has not
7 demonstrated either the likelihood of irreparable injury or success on the merits of his underlying
8 claims, see Stormans, Inc. v. Selecky, 586 F.3d 1109 (9th Cir. 2009), the Court will by this order
9 grant Plaintiff's motions to the extent the Court confirms that Plaintiff is a prisoner proceedings
10 pro se and in forma pauperis.

11 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motions, ECF Nos. 23
12 and 38, are granted insofar as the Court confirms, for purposes of access to the jail law library,
13 that Plaintiff is a prisoner proceeding pro se and in forma pauperis.

14
15 Dated: March 4, 2025



16 DENNIS M. COTA
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27
28