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

RODRIGO RODRIGUEZ-MENDEZ,

Plaintiff,

v.

ELLRED, et al.,

Defendants.

No. 2:24-CV-0678-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to Bivens v. Six Unknown Agents, 403 U.S. 388 (1971). Pending before the Court is Plaintiff's motion for leave to file medical records under seal in support of Plaintiff's objections to the Court's May 14, 2024, order denying counsel. See ECF No. 12.

Plaintiff seeks leave to file documents under seal in support of his objections to the Court's prior order denying Plaintiff's motion for the appointment of counsel. Specifically, Plaintiff asks that medical records submitted as Exhibit A be filed under seal. Good cause appearing therefor, the request will be granted.

The attached medical records indicate that Plaintiff has been diagnosed with severe lumbar spinal stenosis and that Plaintiff is wheelchair bound pending spinal decompression surgery. These records do not support reconsideration of the Court's prior order denying the appointment of counsel. Specifically, Plaintiff's spinal stenosis does not appear to affect

1 Plaintiff's ability to read, write, or presents his claims in this action. There is no indication in the  
2 attached records that Plaintiff suffers from any mental or learning disorder, or that his physical  
3 impairment limits his ability to proceed in this case. Plaintiff's objections to the Court's prior  
4 order denying counsel will be overruled and reconsideration of that order will be denied.

5 Accordingly, IT IS HEREBY ORDERED as follows:

6 1. Plaintiff's motion to file documents under seal, ECF No. 12, is  
7 GRANTED.

8 2. The Clerk of the Court shall file the documents attached to ECF No. 12 as  
9 Exhibit A, ECF No. 12, pgs. 2-4, under seal.

10 3. Plaintiff's objections to the Court's May 14, 2024, order denying counsel,  
11 ECF No. 10, are overruled and reconsideration of that order is DENIED.

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13 Dated: June 5, 2024



14 DENNIS M. COTA  
15 UNITED STATES MAGISTRATE JUDGE  
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