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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TRACYE B. WASHINGTON,

No. C 05-2775 WHA (PR)

Plaintiff,

**ORDER DIRECTING  
DEFENDANTS TO FILE  
RESPONSE TO MOTION FOR  
IMMEDIATE INJUNCTIVE  
RELIEF; INSTRUCTIONS TO  
CLERK**

v.

W. A. DUNCAN; R. BOUCHER; L.  
HERNANDEZ; E. MOORE; A.  
GOMEZ; R. PEREZ; L. BAEZ; W.L.  
MUNIZ;

Defendants.

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This is a civil rights case filed pro se by a state prisoner. The action is presently stayed pending location of pro bono counsel by the Federal Pro Bono Project, to which this case has been referred. Plaintiff has filed a motion for immediate injunctive relief in which he alleges that he was attacked by an inmate at the direction of officials of the prison where he is currently incarcerated, in retaliation for the present lawsuit. Plaintiff seeks to be relocated to another prison. Although this matter is stayed, the allegations in the motion are sufficiently serious to warrant a response from defendants.


Plaintiff has adequately explained in the motion why he did not serve the motion upon defense counsel. Consequently, in this particular instance only, his obligation to serve the motion on defense counsel will be excused and the clerk shall mail a copy of

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plaintiff's motion for immediate injunctive relief (docket number 82) to defense counsel.  
Within **SEVEN** days of the date this order is filed, defendants shall respond to the  
allegations in the motion and show cause why it should not be granted.

**IT IS SO ORDERED.**

Dated: October 28, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE