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

IN RE LONNIE D. CHATMAN, Plaintiff.)))))	C 09-2460 MMC (PR) ORDER ADMINISTRATIVELY CLOSING CASE; DIRECTIONS TO CLERK
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On June 3, 2009, the instant action was opened when plaintiff, a California prisoner incarcerated at the California Institution for Men (“CIM”) in Chino, California, and proceeding pro se, filed a letter addressed to the Clerk of the Court. In said letter, plaintiff writes that his state petition for a writ of habeas corpus (which petition apparently challenged matters pertaining to petitioner’s parole) was recently denied by the San Bernardino County Superior Court, and that he has filed grievances at CIM because he has been denied access to legal mail and materials. Attached to the letter are copies of prison grievances filed by plaintiff at CIM requesting access to medication, and a hand-written copy of the noted state court habeas petition.

On the same date the instant action was opened, the Court sent plaintiff two notices. The first notice informed plaintiff that the action was deficient due to plaintiff’s failure to submit a complaint, and advised plaintiff that his failure to submit a complaint within thirty days would result in dismissal of the action.¹ The second notice informed plaintiff that the

¹Along with said notice, plaintiff was sent a copy of the Court’s civil rights complaint form, instructions for completing it, and a return envelope.

United States District Court
For the Northern District of California

1 action was deficient due to plaintiff's failure to pay the requisite filing fee or, instead, to
2 submit a completed court-approved in forma pauperis ("IFP") application, and advised
3 plaintiff that his failure either to submit an IFP application or pay the fee, within thirty days,
4 would result in dismissal of the action.²

5 A closer review of plaintiff's letter, however, shows that he is not attempting to open a
6 civil rights action in this court. Rather, he is asking the Clerk to inform Judge Henderson of
7 this court of the measures plaintiff is taking with respect to the conditions of his confinement
8 at CIM and his challenges to his parole.

9 Accordingly, as the instant action was opened in error when plaintiff sent to this court
10 a letter, the Clerk of the Court is hereby DIRECTED to administratively close the case and
11 return to plaintiff the documents filed herein.³ Because the instant action was opened in
12 error, no filing fee is due.

13 IT IS SO ORDERED.

14 DATED: June 16, 2009

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16 MAXINE M. CHESNEY
17 United States District Judge

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26 _____
27 ²Along with said notice, plaintiff was sent a copy of the Court's IFP application,
instructions for completing it, and a return envelope.

28 ³The letter will not be forwarded to Judge Henderson as plaintiff does not have a case
pending before Judge Henderson and the contents of the letter pertain to events arising in San
Bernardino County, which is located within the venue of the United States District Court for
the Central District of California, not the Northern District. See 28 U.S.C. § 84(c).