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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIADANIEL HUNNICUTT,
Plaintiff,

No. C-12-0380 EMC (pr)

v.

ORDERMATTHEW CATE, Secretary; et al.,
Defendants.

Plaintiff has filed a motion for an order requiring Defendants to file a *Martinez* report. *See Martinez v. Aaron*, 570 F.2d 317 (10th Cir. 1978) (per curiam). Defendants have opposed the motion, arguing that a *Martinez* report would be unhelpful in this action.

A *Martinez* report refers to a document prepared by prison officials, who have – at the court's insistence – undertaken an investigation of an incident and prepared a report to create an administrative record that will be used in the court proceedings. *See generally id.* at 319-20; *see, e.g., id.* at 319 (report was used to "enable the trial court to decide the jurisdictional issues and make a determination under section 1915(a)"). "The purpose of the [*Martinez*] report 'is to give the court the benefit of detailed factual information that may be helpful in identifying a case involving a constitutional challenge to an important, complicated correctional practice, particularly one that may affect more than the inmate who has filed the 1983 action.'" *In re Arizona*, 528 F.3d 652, 656 (9th Cir. 2008) (citation omitted). *Martinez* reports are neither prohibited nor mandatory in the Ninth Circuit, although they may in some cases be helpful tools for pretrial management of a prisoner civil rights action. *See id.* at 656-58.

