

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

In re RONALD LEE CANADA,

Nos. C 11-4888 SBA (PR)
C 11-4999 SBA (PR)
C 11-5161 SBA (PR)

ORDER OF DISMISSAL

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These actions were opened when the Court received from Plaintiff Ronald Lee Canada letters to the "Coleman¹ Special Master's Team" and to Senior District Court Judge Lawrence K. Karlton of the United States District Court for the Eastern District of California expressing displeasure with the mental health care in the prison at which he is currently housed, California State Prison-Sacramento. In each action, the Clerk of the Court opened a case file, and sent out a notice that Plaintiff had not filed a complaint, and cautioned that the action would be dismissed if he did not submit a complaint within thirty days. The Clerk also sent out a notice that each action was deficient due to the failure to pay the filing fee or furnish a completed and signed Court-approved in forma pauperis application, and cautioned that the action would be dismissed if he did not pay the fee or file the application materials within thirty days. In Case Nos. C 11-4888 SBA (PR) and C 11-4999 SBA (PR), Plaintiff sent similar letters stating that he did not intend to commence a new action but only to inform the judge and the "Coleman Special Master's Team" of his mental health care concerns. (Docket no. 4 in C 11-4888 SBA (PR); Docket no. 5 in C 11-4999 SBA (PR).) The letters appear to apply to all actions, as Plaintiff filed nothing further in Case No. C 11-5161 SBA (PR).

In light of Plaintiff's explanation that the letters he sent to Judge Karlton and/or the "Coleman Special Master's Team" were not intended to commence a new action, these actions are DISMISSED because they were opened in error. No filing fees are due. The Clerk shall close the files.

¹ Coleman v. Wilson, 912 F. Supp. 1282 (E.D. Cal. 1995), which involved a class of prisoner-plaintiffs with serious mental disorders, has been consolidated with another federal class action, Plata v. Schwarzenegger, No. C 01-01351 TEH (N.D. Cal. filed 2001).

United States District Court
For the Northern District of California


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Plaintiff may send his medical or mental health complaints directly to the Receiver at the following address: California Correctional Health Care Services, Controlled Correspondence Unit, P.O. Box 4038, Sacramento, CA 95812-4038.

This Order shall be filed in all the above-referenced actions.

IT IS SO ORDERED.

DATED: __11/7/11


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE RONALD CANADA,

Plaintiff,

v.

IN RE RONALD CANADA et al,

Defendant.

Case Number: CV11-04888 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 9, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ronald Lee Canada C-65757
California State Prison - Sacramento
New Folsom State Prison
P.O. Box 29-0066
Represa, CA 95671

Dated: November 9, 2011

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk