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United States District Court
For the Northern District of California

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

MAURICE P. OLIVIER,
Plaintiff,
v.
R. GROUNDS, et al.,
Defendants.

No. C 12-00176 SBA (PR)

**ORDER DENYING PLAINTIFF'S
MOTION FOR "ADEQUATE LEGAL
WRITING SUPPLIES"**

Plaintiff, a state prisoner, filed this civil action, pursuant to 42 U.S.C. § 1983, on January 11, 2012.

Before the Court is Plaintiff's request, filed July 25, 2012, for an Order directing prison officials to provide him with "adequate legal writing supplies." (Pl.'s Memo. in Supp. of Mot. at 1.) Specifically, Plaintiff requests that the Court order Warden Randy Grounds to provide him with "a full-length pencil, eraser(s), ink pen(s) and [a] pencil sharpener." (Id.) Including the memorandum in support of his motion and the multiple exhibits attached to his pleading, Plaintiff's entire filing is eighty-two pages long.

In Bounds v. Smith, the Supreme Court held "that the fundamental constitutional right of access to the courts requires prison authorities to assist inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance from persons trained in the law." Bounds v. Smith, 430 U.S. 817, 828 (1977). Subsequently, the

1 Supreme Court clarified that Bounds did not establish a substantive right to law library access, but
2 rather signaled that in order for prisoners' right of access to the courts to be meaningful, they must be
3 given adequate resources to prepare. See Lewis v. Casey, 518 U.S. 343, 350-51 (1996).

4 In the instant case, Plaintiff has not claimed any actual harm caused by his alleged lack of
5 access to any of the items he listed above. To the contrary, given the volume and length of the
6 pleadings he has managed to file, it is readily apparent that Plaintiff has had little, if any, difficulty
7 in preparing his pleadings. Furthermore, the Defendants in this case have not been served; therefore,
8 no briefing schedule has been issued, and thus Plaintiff currently does not need to meet any
9 deadlines. Accordingly, Plaintiff's request for an Order directing prison officials to provide him
10 with the items listed above (docket no. 18) is DENIED at this time.

11 This Order terminates Docket no. 18.

12 IT IS SO ORDERED.

13 DATED: 9/12/12


SAUNDRA BROWN ARMSTRONG
United States District Judge

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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 MAURICE P. OLIVER,
5 Plaintiff,

Case Number: CV12-00176 SBA

CERTIFICATE OF SERVICE

6 v.

7 R. GROUNDS et al,
8 Defendant.

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

11 That on September 12, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 Maurice P. Oliver F83603
16 California Training Facility
17 Soledad State Prison
18 North Facility
19 P.O. Box 705
20 Soledad, CA 93950-0705

21 Dated: September 12, 2012

22 Richard W. Wieking, Clerk
23 By: Lisa Clark, Deputy Clerk

United States District Court
For the Northern District of California