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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIADAN ANDREW COX,
Plaintiff,

v.

ALISHA STOTTSBERRY, et al.,
Defendants.Case No. [14-cv-04662-KAW](#) (PR)**ORDER DIRECTING DEFENDANTS
TO PROVIDE PLAINTIFF WITH
ACCESS TO LEGAL RESEARCH AND
TO PROVIDE HIM WITH LEGAL
MATERIALS**

Re: Dkt. No. 35

On October 20, 2014, Plaintiff Dan Andrew Cox filed a civil rights action against employees of the Lakeport County Jail. On May 7, 2015, the Court issued an order finding that the amended complaint appeared to allege a cognizable Eighth Amendment claim for deliberate indifference to Plaintiff's serious medical needs against Medical Director Alisha Stottsberry and Nurse Jim Miller. The Lakeport County Jail refused to accept service for these defendants because they were contract employees. The Court had to request service by the United States Marshal. Finally, on August 25, 2015, Defendants filed an answer to Plaintiff's amended complaint. Defendants have filed two motions for extensions of time to file a dispositive motion, which the Court has granted.

On December 2, 2015, Defendants filed a motion to consolidate this case with *Cox v. Stottsberry*, 15-4384 KAW (PR), a case filed by Plaintiff in state court and which Defendants removed to this Court. Plaintiff's opposition to this motion is due on January 13, 2016.

On December 3, 2015, the Court received a letter from Plaintiff stating that officials at the Lake County Jail are denying him access to legal research and to writing materials such as a note pad, legal tablet and legal envelopes so that he may do his research. He attaches a request he made to the jail for such supplies, which was "denied per Captain Hosman."

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Plaintiff cannot reasonably be expected to respond to Defendants’ motion to consolidate until he has access to legal research on this issue and writing implements with which to take notes and write his response. Therefore, within fourteen days from the date of this Order, Defendants are directed to ensure that Plaintiff is provided with such materials. Also, within fourteen days from the date of this Order, Defendants are to file a declaration with this Court indicating that they have provided Plaintiff with necessary legal research materials. If they cannot do so, they are requested to file a declaration indicating why they cannot.

Plaintiff’s opposition to Defendants’ motion to consolidate is stayed until Defendants have provided him with the necessary materials. This Order also stays Plaintiff’s opposition to Defendants’ motion to consolidate in case number 15-4384 KAW (PR). The Clerk is directed to file this Order in that case as well as this case.

IT IS SO ORDERED.

Dated: 1/12/16



KANDIS A. WESTMORE
United States Magistrate Judge