

# MINUTE ORDER

CASE NUMBER: CIVIL NO. 20-00431 LEK-KJM

CASE NAME: Joseph Pitts vs. Lei Silva et al.,

---

JUDGE: Leslie E. Kobayashi

DATE: 12/03/2021

---

COURT ACTION: EO: Before the Court is Plaintiff's "Motion for Clarification and Jury Trial Demand" [ECF No. 65]. Plaintiff expresses confusion regarding the status of a claim in the Second Amended Complaint related to the handling of his personal mail (Count IV) [*id.* at 2]. In its August 18, 2021 Order Dismissing Second Amended Complaint in Part and Directing Service, the Court concluded that Plaintiff's claims against Defendants Silva and Kami in Count IV based on the alleged opening of his legal mail and delay in sending his outgoing mail could proceed [ECF No. 25 at 17]. The Court further concluded that any claims in Count IV based on the delivery of Plaintiff's incoming personal mail were dismissed without prejudice [*id.*]. The Court also dismissed without prejudice any claims in Count IV against nine other "mailroom defendants" because Plaintiff did not link any of them to his claims [*id.* at 16 n.10]. In their Answer, Silva and Kami responded to Plaintiff's allegations based on the alleged opening of his legal mail and delay in sending his outgoing mail [ECF No. 56 at 3]. To the extent Plaintiff has any further questions regarding the status of a particular claim, he is encouraged to read carefully this Court's previous orders.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager