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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEVIN FERNANDEZ,)	3:06-cv-00628-LRH (WGC)
)	
Plaintiff,)	<u>ORDER</u>
)	
vs.)	
)	
STATE OF NEVADA, et. al.)	
)	
Defendants.)	

Before the court is Plaintiff's Motion for Contempt of Court (Doc. # 593)¹ which Defendant opposed (Doc. # 598). Also before the court is Plaintiff's Motion for Sanctions on Jeffrey S. Blanck for Refusing to Send Plaintiff his Entire File. (Doc. # 599.)

In his Motion for Contempt of Court (Doc. # 593), Plaintiff requests that the court impose contempt sanctions on NDOC, its accounting department supervisor, and its Director, Greg Cox for violating the court's order regarding Plaintiff's copy limit. (*Id.*)

Defendants explain that Plaintiff was previously issued an order allowing a \$750 copy limit, and High Desert State Prison recently refused to make his legal copies even though he had paid down his copy work account to below \$750. (Doc. # 598 at 1.)

Defendants represent that they spoke with NDOC on February 17, 2012, regarding Plaintiff's copy work account, and a note was placed on the account indicating that Plaintiff has a \$750.00 limit regardless of whether he pays down his copy work debt. (Doc. # 598 at 2.) Plaintiff was notified of this correction. (*Id.*)²

¹ Refers to court's docket number.

² The remedying of this situation is evidenced by Plaintiff's attempt to file in excess of 200 pages of exhibits in camera after this motion was filed. (*See* Doc. # 600 and Doc. # 601.)

1 The court agrees with Defendants that because the error regarding Plaintiff's copy
2 work account has been rectified, Plaintiff's motion (Doc. # 593) is **DENIED**.

3 Plaintiff has also filed a motion seeking to impose contempt sanctions on his former
4 attorney, Jeffrey S. Blanck. (Doc. # 599.) Plaintiff asserts that Mr. Blanck refused to mail
5 Plaintiff his entire file despite the court's order. (*Id.*) The court previously set this matter
6 for a hearing. (*See* Doc. # 607.) The court has re-evaluated this motion, and deems that the
7 issuance of a written order in lieu of a hearing is sufficient.

8 The court previously ordered Mr. Blanck to send Plaintiff his file, which Mr. Blanck,
9 as an officer of the court, represented he did. (*See* Doc. # 561, Doc. # 574 and Doc. # 578.)
10 The court will not require any further action on behalf of Mr. Blanck as he represents that
11 he did in fact send the file to Plaintiff.

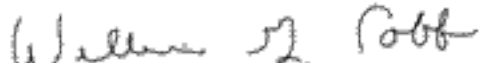
12 Plaintiff's motion (Doc. # 599) is **DENIED** and the hearing previously set for
13 March 22, 2012, is **VACATED**.

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15 **IT IS SO ORDERED**

16 DATED: March 1, 2012

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18 WILLIAM G. COBB
19 UNITED STATES MAGISTRATE JUDGE

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