Hernandez v. Baker et al Doc. 177

## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

INGINIO HERNANDEZ,	) 3:13-cv-00083-MMD-WGC
Plaintiff,	) MINUTES OF THE COURT
VS.	) March 7, 2016
RENEE BAKER, et al.,	)
Defendants	) ) )
PRESENT: THE HONORABLE WILLIAM	G. COBB, U.S. MAGISTRATE JUDGE
DEPUTY CLERK: KATIE LYNN OGDEN	REPORTER: NONE APPEARING
COUNSEL FOR PLAINTIFF(S): NONE APP	PEARING
COUNSEL FOR DEFENDANT(S): NONE A	PPEARING

## MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's motion requesting that the court order the Defendants to return to Plaintiff his Objections (ECF No. 168) to the Magistrate Judge's Report and Recommendation. (ECF No. 174.) Plaintiff also states the order granting him a \$10.00 copy work extension has "been denied by the DOC facility." (Id. at 3.)

On January 5, 2016, the court granted Plaintiff's earlier motion (ECF No. 167) wherein he sought the court to return his only copy of his objections. The order also granted Plaintiff a copy work extension of \$10.00. (ECF No. 169.) In Plaintiff's instant motion, he states that when he received the copy of his objections from the court on January 8, 2016, he used that copy to serve upon the defendants on January 13, 2016, and now does not have a copy of it. (ECF No. 174 at 4.)

Plaintiff's writing style is difficult to discern, but it now appears that the court may have misunderstood Plaintiff's earlier motion (ECF No. 172) wherein Plaintiff asked for an extension of time and a copy of the "motion" he sent to counsel on January 18th. Plaintiff's request for an extension of time was denied as moot. The court further noted further that there were no outstanding motions or responses to which a response or reply was due, and directed Defendants to send a copy of Plaintiff's notice entitled Exhibit "L" (ECF No. 171) to Plaintiff. (ECF No. 173.)

The court notes Exhibit L attached a Copy Work Request by Plaintiff wherein he was denied the ability to copy 89 pages because he was over his copywork limit. Plaintiff's objections, ECF No. 168, consisted of approximately 90 pages. The court now interprets Plaintiff's motion that he was trying to copy his lengthy objections in order to serve them on the Defendants. Since he sent his only copy to Defendants, Plaintiff is now asking the court to order Defendants to return his objections to him. (ECF No. 174.)

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Plaintiff's motion (ECF No. 174) is **granted in part**. Defendants shall send to Plaintiff a copy of his objections (ECF No. 168). Counsel for Defendants shall insure that the Ely State Prison Law Library and/or Inmate Accounting is made aware of the copywork extension granted to Plaintiff in ECF No. 169. To the extent that Plaintiff's motion may be interpreted as seeking an *additional* copy work extension, that request is **denied.** 

IT IS SO ORDERED.

LAN	CE S. WILSON, CLERK	
By:	/s/	
-	Deputy Clerk	