

United States District Court  
Southern District of Texas

**ENTERED**

August 24, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

ERVIN LEE MCFERRIN,

Plaintiff,

VS.

PINKEE PATEL, *et al*,

Defendants.

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CIVIL ACTION NO. 3:15-CV-274

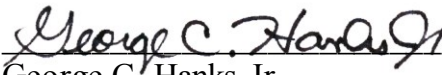
**ORDER REQUESTING A MARTINEZ REPORT**

The plaintiff, Ervin McFerrin (TDCJ #01607758), has filed a complaint under 42 U.S.C. § 1983 claiming that the defendants provided him with Constitutionally deficient medical treatment (Dkt. 1). The Court needs to examine pertinent records that are presumably in the possession of TDCJ. Accordingly, to supplement the pleadings and enable the Court to evaluate McFerrin’s claims, the Court **ORDERS** the State Attorney General’s Office to provide a report to the Court for its review within **sixty (60) days** under *Martinez v. Aaron*, 570 F.2d 317 (10th Cir. 1987). *See Cay v. Estelle*, 789 F.2d 318, 323 & n.4 (5th Cir. 1986) (discussing the utility of a *Martinez* report).

The Clerk will provide a copy of this order to the parties.

The Clerk shall further provide a copy of this order, along with copies of McFerrin's original complaint and its attachments (Dkt. 1), to Jacqueline Lee Haney, Assistant Attorney General for the State of Texas, Law Enforcement Defense Division, 300 W. 15th Street, Austin, Texas 78701, by Fax at 512-936-2109 or electronically.

SIGNED at Galveston, Texas, this 23rd day of August, 2017.

  
George C. Hanks Jr.  
United States District Judge