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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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| <p>ROBERT O. GILMORE, JR., et al., Plaintiffs, v. STATE OF CALIFORNIA, et al., Defendant.</p> | <p>CV 66-45878 SI [JOINT PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO TERMINATE INJUNCTION Date: April 16, 2010 Time: 9:00 a.m. Courtroom: Courtroom 10, 19th Floor Judge: The Honorable Susan Illston Action Filed: 1966</p> |
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This case began in 1966, when inmates from San Quentin State Prison filed an action concerning their access to law books and the courts. Twenty-five inmate cases were consolidated in this matter, but no class was ever certified. In 1972, the Court ordered an injunction requiring California to, among other things, maintain a specified list of legal literature in all its prisons to help inmates access the courts. In 1980, the case was dismissed with prejudice. The Court has since maintained jurisdiction over the 1972 injunction.

On October 30, 2009, Defendants filed a motion to terminate the 1972 injunction under the Prison Litigation Reform Act and Rule 60(b)(5) of the Federal Rules of Civil Procedure. Plaintiffs filed an opposition to the motion on December 22, 2009. After conducting discovery, however, the Plaintiffs withdrew their opposition to the termination motion on April 12, 2010.

1 Accordingly, the Court GRANTS Defendants' motion, terminates the injunction, and ends the
2 Court's jurisdiction in this matter.

3 IT IS SO ORDERED.



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5 Dated: 4/16/10

6 _____
7 The Honorable Susan Illston
8 United States District Judge

9 APPROVED AS TO FORM:

10
11 Dated: April 15, 2010

12 /s/ Alison Hardy
13 Alison Hardy
14 Attorney for Plaintiffs

15 Dated: April 15, 2010

16 /s/ Damon G. McClain
17 Damon G. McClain
18 Deputy Attorney General
19 Attorney for Defendants

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