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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DONALD GLASS,

Plaintiff,

v.

D. BAILEY, et al.,

Defendants.

CASE NO. 1:04-CV-05953-LJO-DLB PC

ORDER REGARDING MOTION FOR
MODIFICATION OF PRETRIAL ORDER

(Doc. 210)

Plaintiff Donald Glass (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants D. Bailey, D. Beebe, M. Botello, D. Case, Dang, A. Diaz, T. Kraay, and E. Lawton. This matter is set for jury trial commencing on November 30, 2010.

Pending before the Court is Plaintiff’s motion for modification of the Court’s November 5, 2010 Pretrial Order.¹ Doc. 210. Plaintiff contends that he was unable to comply with the deadlines for exchange of exhibits, and submission of proposed voir dire, statement of the case, verdict form, and jury instructions. Plaintiff contends that he attempted to photocopy six-hundred pages of trial exhibits, but was denied by the legal officer at Kern Valley State Prison, where Plaintiff is currently incarcerated. The officer denied Plaintiff’s photocopying request as beyond the one-hundred page weekly limit for copying.

¹ The Court issued an amended pretrial order on November 23, 2010, which does not materially affect this order. Doc. 211.

1 Because of these circumstances, the Court will not require Plaintiff to submit trial
2 exhibits or proposed documents by November 18, 2010.²

3 Accordingly, it is HEREBY ORDERED that Plaintiff is to bring his trial exhibits and any
4 proposed voir dire, jury instructions, statement of the case, and verdict forms to Court for trial on
5 November 30, 2010. Plaintiff may only bring those exhibits that were specifically listed in the
6 amended pretrial order. Plaintiff must organize his exhibits pursuant to the instructions in the
7 amended pretrial order to avoid any confusion, and be ready to proceed with any exhibit he
8 desires to use so that there is no delay during the trial.

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10 IT IS SO ORDERED.

11 **Dated: November 23, 2010**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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26 ² Plaintiff also requests that the Court order non-party prison officials at Kern Valley State Prison to appear
27 before this Court, including the warden, litigation coordinator, captain, lieutenant, sergeant, and correctional officer
28 who were allegedly involved in obstructing his ability to comply with the Court's pretrial order. This request is
denied, as they are not parties to this action.

Plaintiff also requests that the United States Department of Justice investigate the deputy attorney general
representing Defendants, as Plaintiff contends that she conspired to retaliate against Plaintiff. This request is
unsubstantiated and is denied.