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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Rickey O’Roy,
Plaintiff,
vs.
Correctional Officer Mares,
Defendant.

No. 1:05-CV-00339-FRZ
ORDER

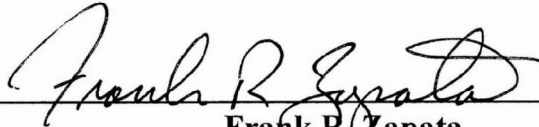
Pending before the Court is Plaintiff’s extremely untimely motion for an “extension of time to file amended motion for attendance of incarcerated witnesses” (Doc. 65) and the pertinent second motion for attendance of incarcerated witnesses (Doc. 66).¹ On 5/24/11, the Court issued a clear and detailed Order (Doc. 45) regarding the requirements for Plaintiff to secure the attendance of witnesses at trial which required Plaintiff to file motions in compliance with the Court’s Order by 7/29/11. While Plaintiff filed timely motions in July of 2011 regarding the attendance of witnesses, he failed to comply with the Court’s Order in any material respect. Thereafter, the Court issued an Order (Doc. 62) finalizing all matters related to trial which included a denial of Plaintiff’s motions for attendance of witnesses. Nonetheless, approximately six months after the Court’s Order pertaining to the attendance of witnesses and two weeks prior to the trial set for 12/6/11, Plaintiff filed the above motions related to the attendance of witnesses. Plaintiff offers no justification for these untimely

¹Both motions were filed on 11/17/11; Defendant filed an opposition on 11/22/11.

1 motions other than summarily stating that he didn't completely understand the Court's
2 previous Order as he is a lay person who has mental health issues (Doc. 66). Plaintiff's
3 untimely motions (Doc. 65, 66) are denied.

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DATED this 23rd day of November, 2011.



Frank R. Zapata
Senior United States District Judge