1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 MARK JONES, Case No. 1:08cv-00069-LJO-DLB PC 12 Plaintiff, ORDER REQUIRING PLAINTIFF TO SUBMIT ADDITIONAL BRIEFING 13 v. (Document 98) 14 COUCH, 15 Defendant. 16 Plaintiff Mark Jones ("Plaintiff") is a California state prisoner proceeding pro se and in forma 17 pauperis in this civil action pursuant to 42 U.S.C. § 1983. 18 Pursuant to the Ninth Circuit's remand, the Court set an evidentiary hearing on the issue of 19 20 exhaustion for December 8, 2014. However, Plaintiff was unable to attend the hearing because of a medical issue. 21 After a December 18, 2014, status conference, the evidentiary hearing was set for March 2, 22 2015. 23 On February 5, 2015, Plaintiff filed a motion for an extension of time. He states that during 24 rehousing, many of his legal documents were lost. Plaintiff requests a thirty-day extension of the 25 hearing date so that he can be transferred back to CSP-Sacramento, where he has copies of 26 documents, or get his legal property delivered to Corcoran State Prison. 27

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Given Plaintiff's position on the exhaustion issue, it seems that only his testimony is necessary at the hearing. However, the Court will permit Plaintiff an opportunity to explain why he needs documentary evidence. Plaintiff SHALL provide this explanation to the Court within ten (10) days of the date of service of this order. The Court will rule on Plaintiff's request for an extension after evaluating Plaintiff's response. IT IS SO ORDERED. 1s/ Dennis L. Beck Dated: **February 10, 2015** UNITED STATES MAGISTRATE JUDGE