

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

TIMOTHY CRAYTON,
Plaintiff,

No. C 08-00621 WHA (NJV) (PR)

v.

CORRECTIONAL OFFICER
A. HEDGEPEETH, et al.,
Defendants.

**ORDER RE VERIFIED MOTION
FOR CERTIFICATE OF
APPEALABILITY**

On December 12, the clerk of the Eastern District of California received a “verified motion for a certificate of appealability, with objection, regarding denial of leave to file supplemental complaint” with a declaration and twenty exhibits. The notice, however, is dated October 30 and signed by Timothy Crayton, “Pro se attorney of record.”

In a December 2 order, this Court set the final pretrial conference for January 22 and the trial for January 27. Pro bono counsel was appointed on December 10, after the date that appears on the notice for the verified motion, but before the verified motion was received.

The undersigned judge has been informed by his clerk that pro bono counsel intends to move on an expedited basis to continue the January 27 trial date. This order requests that pro bono counsel review the verified motion and accompanying documents and file a statement (no more than **FIVE PAGES**) by **DECEMBER 17 AT NOON** addressing whether this verified motion is withdrawn or will be re-noticed and re-filed on the docket.

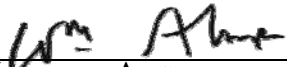
United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

In the interim, this verified motion and its accompanying documents will be filed on the docket. The clerk is directed not to process this as a notice of appeal until pro bono counsel has had an opportunity to review the verified motion and accompanying documents.

IT IS SO ORDERED.

Dated: December 12, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE