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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY JOHNSON,
Plaintiff,
v.
L. GONZALEZ, et al.,
Defendants.

1:09-cv-01264-BAM (PC)

ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S MOTION
FOR EXTENSION OF TIME TO FILE
EXHIBITS AND JURY INSTRUCTIONS

(ECF No. 165)

Deadline: April 28, 2015

Plaintiff Anthony Johnson ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. A jury trial is set for April 28, 2015.

On March 4, 2015, the Court issued a final Pretrial Order in this action. Pursuant to that order, if Plaintiff wishes to file proposed jury instructions, then his deadline is April 21, 2015. Additionally, Plaintiff must submit pre-marked trial exhibits to the Courtroom Deputy no later than April 21, 2015. (ECF No. 139.)

On April 6, 2015, Plaintiff filed the instant motion for a 15-day extension of time, beyond April 21, 2015, to submit his proposed jury instructions and trial exhibits. Plaintiff explains that the law library has been closed for two weeks, he was not on the list for library services, and,

1 even after being placed on the list, the responsible correctional officer has not come to his door
2 for library services. (ECF No. 165.)

3 Good cause having been presented to the Court, Plaintiff shall be granted an extension of
4 time to submit his pre-marked trial exhibits and proposed jury instructions. However, the Court
5 will not grant the 15-day extension of time, which extends well past the April 28, 2015 trial date.
6 Instead, Plaintiff shall submit his proposed jury instructions and pre-marked trial exhibits on or
7 before April 28, 2015. If necessary, Plaintiff may provide his trial exhibits and proposed jury
8 instructions in person before trial commences on the morning of April 28, 2015.

9 Accordingly, Plaintiff's request for an extension of time to submit his trial exhibits and
10 proposed jury instructions is GRANTED IN PART and DENIED IN PART. Plaintiff shall
11 submit his proposed jury instructions and pre-marked trial exhibits on or before **April 28, 2015**.

12 IT IS SO ORDERED.

13 Dated: April 8, 2015

14 /s/ Barbara A. McAuliffe
15 UNITED STATES MAGISTRATE JUDGE
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