IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS GOOLSBY,

Plaintiff,

vs.

M. CARRASCO, et al.,

Defendants.

_____/

Case No. 1:09-cv-01650 JLT (PC)

ORDER GRANTING REQUEST TO EXTEND TIME FOR FILING MOTIONS TO COMPEL

(Doc. 43)

On December 10, 2010, Plaintiff filed a motion seeking an extension of the discovery deadline in order to allow him time to file a motion to compel further responses to discovery. (Doc. 43) Plaintiff contends that the additional time is needed because he granted an extension of time for Defendants to respond to his written discovery but when he received the responses on November 18, 2010, only one document was produced. Id. Plaintiff reports also that the prison where he is housed was placed in lock-down in November which reduced his ability to produce legal documents. Id. In short, Plaintiff requests to be permitted to file his motion to compel on or before January 16, 2010. Id.

Plaintiff should have realized that granting Defendants additional time to respond to his written discovery placed him in the risky position of needing to file a motion to compel within a very short time, if the defendants did not fully comply with his discovery request. Likewise, a prison lock-down is not an unanticipated event. However, the Court finds that Plaintiff's failure

to anticipate that the Defendant would provide an insufficient response (from his perspective) and that a prison lock-down would occur and that these events would occur at the same time, was not unreasonable.

Therefore, GOOD CAUSE APPEARING, Plaintiff will be granted an extension of time up to and including January 16, 2011 to file a motion to compel.

Plaintiff is advised that no further extensions of time will be granted absent a showing of good cause. Plaintiff is advised further that a prison lock down, ordinarily, does not constitute good cause to amend a scheduling order.

No other dates set forth in the Scheduling Order are modified.

IT IS SO ORDERED.

Dated: **December 15, 2010**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE