## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

WILBUR ATCHERLEY,	) Case No.: 1:12cv00225 LJO DLB (PC)
Plaintiff, v.	) ORDER REGARDING PLAINTIFF'S REQUEST TO TAKE NOTICE OF CURRENT SITUATION
CLARK, et al.,	)
	) (Document 150)
Defendants.	)
	)
	)

Plaintiff William Atcherley ("Plaintiff") is a prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 28 U.S.C. § 1983. This action is proceeding on Plaintiff's First Amended Complaint, filed on March 14, 2013, for violation of the Eighth Amendment and negligence against numerous Defendants.<sup>1</sup>

There are numerous motions pending.

On November 5, 2014, Plaintiff filed a motion in which he requests that the Court take notice of his November 3, 2014, surgery. He states that he will be at an outside hospital for 7 to 15 days following the surgery and will not be issued any mail during this time.

<sup>&</sup>lt;sup>1</sup> On September 10, 2014, the Court granted Plaintiff leave to file a Second Amended Complaint naming Doe Defendants.

The Court will take into consideration the time period during which Plaintiff will not receive mail in calculating any briefing schedules. To the extent that Plaintiff will require extensions of time after he returns back to his place of incarceration and begins to receive his mail, he must file any such requests with the Court. IT IS SO ORDERED. /s/ Dennis L. Beck Dated: **November 18, 2014** UNITED STATES MAGISTRATE JUDGE