IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF CALIFORNIA

LUIS V. RODRIGUEZ,

Plaintiff,

vs.

CDCR DEPARTMENTAL REVIEW BOARD, et al.,

Defendants.

_____/

1:12-cv-00757-JLT (PC)

ORDER CONSTRUING PLAINTIFF'S EX PARTE REQUEST FOR EXTENSION OF TIME TO FILE AN AMENDED COMPLAINT AS A MOTION FOR EXTENSION OF TIME TO FILE A FIRST AMENDED COMPLAINT

(Doc. 18)

ORDER GRANTING PLAINTIFF'S MOTION FOR EXTEND TIME TO FILE A FIRST AMENDED COMPLAINT

(Doc. 18)

ORDER WITHDRAWING THE ORDER TO SHOW CAUSE DATED MAY 10, 2013

(Doc. 19)

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On May 10, 2013, Plaintiff filed an "Ex Parte Request for Extension of Time to File [an] Amended Complaint." (Doc. 18). Plaintiff reports that prison officials have denied him access to the law library for the past 30 days and have denied him access to his "notes and documents that are crucial to appropriately amend the Complaint." (Doc. 18 at 1).

In its Order dated April 15, 2013, (Doc. 17), the Court explicitly delineated the standards by which Plaintiff would need to amend his complaint. Why he believes he needs to access the law

library or his notes in storage is neither clear nor explained by Plaintiff. Clearly, the events at issue are within his personal knowledge. However, the Court will **GRANT** Plaintiff's request for an additional 30 days in which to file a first amended complaint or to notify the Court that he wishes to proceed on his cognizable claims. **This shall be Plaintiff's only extension of time to amend his complaint absent an exceptional showing of good cause, which shall not include law library access or access to the documents requested.**

Accordingly, having found GOOD CAUSE, it is HEREBY ORDERED that:

1. The Order to Show Cause, dated May 10, 2013, (Doc. 19) is **WITHDRAWN;** and
2. Plaintiff is **GRANTED** thirty (30) days from the date of service of this Order in which to file a first amended complaint or notify the Court whether he wishes to proceed on his cognizable claims.

IT IS SO ORDERED.

Dated: **May 13, 2013**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE